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An investigation into factors which may lead to long-term foster care

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AN INVESTIGATION INTO FACTORS WHICH
MAY LEAD TO LONG-TERM FOSTER CARE

A Thesis

Presented to

The Faculty of the School of Social Work
San Jose State University

In Partial Fulfillment
of the Requirements for the Degree
Master of Social Work

By

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CHAPTER 1

INTRODUCTION

This investigation concerns itself with the factors and issues that result in long-term foster care. This area is worthy of investigation due to the large number of children who come into the foster care system and remain in it by default. Several studies have been conducted in this area. This study is an additional investigation into this area which seeks to shed light on this phenomenon and what can be done about it. A decision to place a child in long-term foster care is an important one. Yet very little information is available on the factors which influence such a decision: Does long-term foster care result by plan or default?

Overview of Foster Care

Foster care assumes the responsibility that a parent is unable or unwilling to assume.

"The State assumes and receives this right through the doctrine of 'parens patriae'. This doctrine gives the State the right to intervene and protect its subjects who are unable to protect themselves. Intervention by the State may result in removal of a child from his home, the permanent

severing of parental rights, the child remaining in his home under some form of supervision, or the referral of the family to a social services agency for counseling directed toward the lessening of the conditions which have aroused concern for the child's welfare."¹

"Child welfare services can be seen in the framework of two predominant views of social welfare: residual and institutional. . . . Social welfare services in the institutional view are seen as being without stigma and as the normal 'first line' functions of a modern industrial society. . . . Social welfare services in the residual view carry a stigma . . . coming into existence only when the normal structures of society, the family and the marketplace break down. These services are to be used only on a temporary basis until normal channels are restored."²

Foster care falls into the residual framework. While foster care is viewed as being temporary, too often it becomes permanent. The question is whether this is by design or default.

Problem Statement

This study focuses on the local level, at the decision-making level where humanistic considerations take

¹ John Brown and Al Swanson, "Child Welfare Services" Handbook On Social Services, (Ed. S. N. Gilbert and H. Specht, Prentice Hall - in press 1979), p. 2, Ch. 9.

² Ibid., p. 3.

precedent, hopefully, over fiscal considerations, it concerns itself with the multiplicity of issues and factors that result in foster care as a permanent plan for a child in out-of-home care.

What factors go into making such a decision? How is such a decision arrived at? Is it purposeful planning? Is it by choice (design) or default? Are alternatives readily available, or are they precluded because of other operating factors? Plans may be made by the worker, but may not be enforceable legally. The law often sides with the parents who are often not motivated to change their living situation, but equally not interested in freeing their children and who can, with the backing of courts, allow their children to drift from one untenable situation to another, and often there is little that can be done by the social worker to prevent such a miscarriage of justice.

Mandatory review attempts to curtail this situation, but often all that is done is maintaining the status quo if no change is perceived in the parents' capabilities for assuming their parental responsibilities. Time limiting contracts between parents and worker have no legal status. Workers, too, may hesitate to press for termination of parental rights due to their personal value system. They may also be reluctant to confront parents about possible relinquishment and may hesitate in establishing time limits

in the treatment process. As Esther Appelberg in Uprooted had stated, "Inaction also is a choice and has consequences."³

One factor that may contribute to long-term foster care is seen in those cases involving placement of siblings. Normally they are placed, if possible, in care together with the hope they will return home together.

"Because of this prevailing practice, some sibling groups who since their entrance into care have become legally free for adoption find themselves in the position of being largely 'un-adoptable' because of the difficulties encountered in finding adoptive families who are willing to take all of them or because of the agency's hesitancy in breaking up the group because of the fears of the damaging psychological effect on them."⁴

Gambrill states that the decision-making process in foster care involves risk-taking and workers defer in the extent to which they are willing to take risks. A decision-making stance involves confrontation of natural parents with the need to make a plan. This may be repugnant to some workers who may feel that the natural mother (and/or father) should not be forced to think about the fate of his or her

³Esther Appelberg, "Children in Limbo - Foster Care and Nowhere to go", The Uprooted (Child Welfare League, 1977), p. 17.

⁴John Brown, "Thoughts Regarding Separation Of Siblings In Foster Care", Catholic Charities Review (Jan. 1971), p. 13.

child, or the worker may lack the requisite skills for confrontation in a constructive manner. Either factor may lead to worker inaction. Gambrill feels that such confrontations will only be profitable when they occur in an organizational structure so arranged so as to force the issue.⁵ When a temporary placement is prolonged "it may have the appearance of permanency, but it lacks the element of intent that is critical to permanency."⁶ "Experts in the child welfare field are almost unanimous in their belief that long-term non-permanent foster family care is not desirable for children."⁷

Purpose of the Study

The purpose of this study is to ascertain the principal internal and external factors that influence the decision-making process which culminates in long-term foster care.

Research Question: What factors contribute to foster children remaining in long-term foster care by default and not by plan?

⁵Eileen D. Gambrill, Decision Making In Foster Care (U. C. Berkeley: University Extension Publications, 1978), p. 2.

⁶Permanent Planning, p. 1.

⁷Appelberg, op. cit., p. 29.

Delimitations

This study is based in part on Maas and Engler's observation that what happens to a child in foster care is often dependent on where he resides; i.e., community values may be reflected in the laws, judicial attitudes and interpretations, and considerations about termination of parental rights. The study will limit itself to an exploration of long-term foster care and decision-making processes in Santa Clara County.

Significance of Problem

While the scope of child welfare services has increased, the effectiveness of one aspect of services is being questioned--that of foster care. Foster care is or was viewed as a temporary situation. The situation is becoming less and less temporary.

As of June 30, 1977, the Santa Clara Department of Social Services had a total of 946 children in out-of-home care in Bureaus EIII and EIV. Ten of these children had been in care for a short period of time, so no definite

plan had been formulated for them. Eighteen of these children were supervised by workers who were on vacation and no data was obtained on them. The cases of eight other children were in the process of being transferred to another agency.

Of the 910 remaining children, the plan for 178 of them (20%) was to return them to their natural families. The plan for an additional 103 children (11%) was to place them for adoption. Workers in Bureau EIV plan to refer an additional 27 children (3%) to Bureau EIII for exploration of adoption. The plan for the remaining 602 children (66%) was some form of long-term foster care or guardianship.

Guardianship had already been established for 102 of these children (11%), with another six referrals for guardianship pending with County Counsel. Workers in both Bureaus were planning to refer another 28 children (3%) to County Counsel for guardianship.

The plan for the remaining 466 children (51%) was long-term out-of-home care. For three of these children, long-term foster care agreements had already been signed. Ten of these children were Vietnamese orphans. Approximately 90 children had severe emotional problems and are receiving treatment in a resident facility. Another 100 children were developmentally disabled and needed specialized care. Approximately 75 children are 16 years of age or older and are approaching emancipation. This leaves us

with approximately 188 children (20%) under the age of 16 who do have extraordinary special needs and for whom the long-range goal is reaching majority in out-of-home care.⁸

In 1979, the number of children in foster care, specifically long-term foster care, was on the rise. Congressional testimony in February 1979 termed foster care a vast and hidden dumping ground for children. The question really is what led the Congress to this conclusion. Is it a valid conclusion or a simplified statement of reaction to a very complex and disturbing issue that greatly concerns practitioners and lay people alike? The Child Welfare League of America estimates that children stay in care on the average of four to six years and that if parents don't take back a child in a year and a half, chances are they never will. Dr. Paul Mott, a former official of Health, Education and Welfare, states, "Among the children in foster care on any given day it is estimated that 50% to 85% will stay there through their majority."⁹

A growing number of children in the foster care network are the ones whose families cannot, or will not, respond to the introduction of supportive services such as

⁸Department of Social Services Interoffice Memo (1977).

⁹San Jose Mercury, "Scandal of Foster Care", (September, 1977).

Homemakers, respite care, and day care. Coming from such disruptive backgrounds, a growing number of children need permanent care outside the home.

In 1959, Mass and Engler predicted that half of the more than 4,000 children they studied would spend a major portion of their childhood in foster care.¹⁰ In 1967 Maas conducted research to test the validity of previous predictions.¹¹ He discovered that almost 32% of the 422 children investigated had been in care for ten years or longer. David Fanshell, in his investigations of 624 children who entered foster care in 1966, discovered that 46% had been in foster care for three years or more.¹² Later studies by Fanshell revealed that the situation had not improved and that a large number of children remain in foster care for several years or more. Certainly not a temporary situation as foster care is envisioned.¹³ Thus, the concept of foster care as a temporary care is not applicable to a significant group.

This study attempts to identify various practices, policies, factors, and attitudes that lead to long-term placement, planned and unplanned, with the intent to focus on those policies, practices, factors, and attitudes that may be open to change so as to prevent at least a portion of children from being children in limbo.

¹⁰Brown, Handbook of Social Services, op. cit., p. 31.

¹¹Ibid. ¹²Ibid. ¹³Ibid.

OPERATIONAL DEFINITIONS

For this study, attitudes, factors, practices, policies, long-term foster care (planned and unplanned) are defined in the following manner:

Attitudes

This refers to attitudes influenced by personal values in the area of children's rights vs parents' rights, and which may influence the decision-making process.

Factors

This is defined as those factors, judicial, legal, staff support, foster care, personal values, relationship with adoption bureaus, which often bear on decision-making and may affect worker attitude.

Practices

Those practices implemented by the worker and often affected by value judgments which influence decision-making; e.g., a worker who would prefer choosing long-term foster care over adoption, if possible.

Policies

Stated or unstated policies by the Department itself, the Adoption Bureau, legal departments which might affect a worker's choice in decision-making.

Long-Term Foster Care - Planned

As defined in California Manual SDH - Issue 22, effective 9/1/75. The county shall provide planned long-term foster care for children who cannot return home and for whom

adoption is not feasible and who have remained in the same foster care home for two or more consecutive years. This type of care is especially appropriate for relinquished unadoptable children, abandoned older children, and other children who will most likely reach majority while in foster care. The intent of long-term foster care is to make every effort to provide children with stability and a chance to develop normally in a permanent home setting. (Note: There is no legal provision assuring this permanency of care.)

Foster Care

Normally thought of as temporary care, although it may continue for an extended period of time and may ultimately result in long-term foster care

Foster care as a temporary arrangement has been called a pervasive myth. A 1972 study of the California foster care system revealed that 39% of the foster children had been in care for more than five years.

Restoration

Return home.

Long-Term Foster Care - Unplanned

Same as long-term foster care, but not stated as a chosen plan at the onset. Child drifts into this situation when, if considered, other courses of action are not pursued or fall through, or long-range planning is not utilized.

Guardianship

Person(s) appointed by the Superior Court to take care of the person or estate, or both, of another person.

In foster care, guardianship is considered when (a) prognosis for return of the child to the natural parent(s) is poor, (b) a plan for adoption of the child is not feasible, (c) the present foster placement is considered relatively permanent and the interested parties agree as to the desirability of legal guardianship. Interested parties include (1) the foster parents, (2) the child, and (3) the natural parents; as well as (4) the social services department, (5) the juvenile court, and (6) the probation department.

(Note: Legal guardianship by a foster parent should not be viewed as a substitute for adoptive placement.)

232 Action - Termination of Parental Rights

Voluntary or involuntary relinquishment of parental rights by court action. Grounds for which rights may be involuntary termination are usually abandonment, neglect or abuse, mental deficiency that would make a parent unable to care effectively for the child. Statutes vary from state to state as does the judicial interpretation of them.

Adoption

Legal assumption of parental rights and role; often foster parents are discouraged from filing for adoption because agencies state that the standards one must meet in order to qualify as an adoptive parent are higher than the

standards for a foster parent. Agencies argue that to permit these "lesser qualified" foster parents to adopt their foster children could lead to misuse of the system and possible danger to the child. This is an interesting supposition considering the growing number of children in long-term foster care.

Design

Plan instituted after careful consideration of all factors.

Default

Plan that evolves from lack of purposeful planning, such as unplanned long-term foster care.

CHAPTER 2

THE FOSTER CARE (AFDC-BHI) PROGRAM IN CALIFORNIA

"The Aid to Families With Dependent Children (AFDC) Program has three parts:

- (1) AFDC-FG, the Family Group part, for children who are in need because of either the death, incapacity, or absence from the home of one or both parents;
- (2) AFDC-U, the Unemployed Parent part, for children who are in need because of the unemployment of the father, or under limited circumstances, of the mother; and
- (3) AFDC-BHI, the Board Homes and Institutes part, for children living outside of their own homes, many in 24-hour foster care or other facilities.

"Foster care is one part of the AFDC-BHI program. One of the goals of the AFDC-BHI Program is to protect the welfare of children who require out-of-home care by developing and enforcing standards that ensure adequate care and protection in family foster homes and other care facilities. The law requires the Program to be administered to provide

the best substitute for their own homes for those children who must be placed in foster care."¹

The out-of-home care services provides 24-hour care for children requiring care outside of their own homes. Children are placed by consent (voluntary placement) or by court order (dependent placement). The service plan for a child in foster care may include returning the child to his or her parents (restoration), long-term foster care, guardianship, or adoption.

Until last year (1978) in California there was a compilation of statistics from various county providers County Welfare Department, Adoption Agency, and County Probation Departments describing the characteristics of children entering foster care in California. The reports issued were based on information submitted to the Center for Health Statistics by County Welfare Departments on Form SOC158, the Foster Care Registry. In September 1979 there was a breakdown in the computer software and the submission of the Foster Care Registry forms was suspended. The purpose of the registry was to assist in program budgeting, regulation development, effective program supervision,

¹Department of Health, Characteristics of Children Entering Foster Care By Service Provider, October 1, 1975-September 30, 1976 (Sacramento, California: Foster Care Registry), p. 1 - mimeo.

and efficient manpower and resources allocation for direct services to foster care children.² State surveys of foster care are designed to fulfill many of the management information needs of the AFDC-BHI and Foster Care Programs, mainly in the areas of budget control and mainly emphasize program management and fiscal considerations. Minimal humanistic evaluation of services given, decisions rendered or proposals for reform are available.

²Department of Health - DSS Manual, "Description of Foster Care Registry" (printout - 1978), p.2.

CHAPTER 3
HISTORICAL OVERVIEW OF FOSTER CARE

Historically, services to children have reflected the values of the society. "Indenture, apprenticeship, orphanages, foster family care, and group homes have developed as a means of dealing with children when parents have failed to carry out their responsibility--for whatever reason.¹ The history of foster care in Santa Clara County covers society's changing attitudes toward what constitutes proper children's services.

Out-of-Home Child Care (1867-1979)

In 1867 in Santa Clara County, one of the first groups interested in aiding destitute children was formed under the direction of Jerome James Owen, editor of the Mercury in San Jose. This group felt they could help the growing numbers of destitute children. They felt this would develop a large-hearted liberality among the people;

¹John Brown and Al Swanson, "Child Welfare Services", Handbook on Social Services (eds. N. Gilbert and H. Specht, Prentice Hall - in press, 1979), p. 5.

i.e., philanthropy done for the good of the philanthropist.² The group included a visiting committee of fourteen ladies assigned to seven districts in groups or pairs, under the direction of a Mrs. Cobb.

In 1870, the Home of Benevolence received a grant of eleven acres on Martha Street, plus funds for the construction of a building to house these children. Their care was paid for by State and County funds. In 1876, their operation was licensed by the Board of Supervisors.

The State Constitutional Convention of 1879 set down provisions as to the specific financial responsibilities of the State and County to their poor and homeless. The State was to grant aid to whole orphans, half orphans, and abandoned children; whole orphans were to receive \$100, others \$85. The counties were to take care of the indigent, sick, and poor. As early as 1880, concern about State governmental expenditures and practices were emerging.

The Catholic Ladies Aid Society first organized in 1885 as a sewing circle under the direction of Mrs. D. Murphy and Mrs. Colonel Younger. The Board of Supervisors assisted their emergency relief giving with monies from the infirmary fund. During this period no case of distress remained long unattended once it was made public. Charitable work was one of the responsibilities of lay and religious leaders.

²Social Services printout (Santa Clara County DSS, 1977).

One of the other benevolent associations was the Home of the Sheltering Arms run by women whose aim was to reclaim the "lives of usefulness" for the children. They taught the young people who were in jail and in brothels. They averaged fifteen inmates annually; when possible, they placed their charges in private homes.

In 1893, Pastor Melville Terny of the Congregational Church was selected as a chairman for the newly formed "Associated Charities." Doors opened up at 252 North First Streets--its main aim was to investigate need and register applications.

The second orphanage opened in Gilroy in 1897. In 1903, a State Board of Charities and Corrections was established to oversee State and County practices, but the Board had neither the power nor the funds to investigate. Their first act was to pass a law that the dependency of a child shall first be determined by the courts. In 1905, the State Legislature created the Probation Department and built a detention home for delinquent and dependent children under the age of eighteen.

Following the 1906 earthquake many homeless children were placed in homes in Santa Clara County. Children of widows ended up in institutions unless the widow could support them. Interest began to grow for a Widows Pension to keep homes from disbanding because of poverty. The State encouraged the beginnings of foster care. The State was to

supervise such placements. Home visits were to be on a bi-annual basis. The 1909 White House Conference stressed the point that children with foster parents had the best substitute for natural homes. The Conference stated that homes "should not be broken up for reasons of poverty, but only for considerations of inefficiency and immorality."³

The Federal Children's Bureau was formed as a result of this Conference, "systems of state supervision of dependent children living in foster homes and institutions was enacted," including a bill for Mother's Assistance Funds, Children's Codes, and Child Labor Laws.⁴

In 1913, the California Legislature passed statutes that "emphasized keeping dependent and neglected children in their own homes whenever possible."⁵ The 1913 law encouraged the supplementing of State funds by the County, and stated that no State aid for out-of-home care would be given to any child for whom a home was available. After the passage of the 1913 law, a significant movement of children back into their own or other homes was observed.

The County of Santa Clara first recognized the needs of children in 1926. Harriet Somers was hired to start a foster care unit; her case load of sixty-five children

³Jessica Pers, Government as Parent (University of California, Berkeley: Institute of Governmental Studies, 1976), p. 4.

⁴Ibid., p. 9.

⁵Ibid., p. 6.

included all the children in foster homes and families in aid to needy children. Two years later the caseload was 350 children. Mrs. Somers, with funding from the Board of Supervisors, created a Receiving Home (1939), a pediatric clinic at San Jose Hospital, a well-baby clinic, and a children's division at the County Hospital. She also issued a monthly bulletin for foster mothers.⁶

In 1935, the Social Security Act was enacted and formed the basis of the current Aid to Families with Dependent Children Program. From a limited view of child welfare services, today's concept of the importance of fostering both the physical and mental well-being of the child has emerged and services directed toward supporting the home have emerged on a broader scope.

"The basic functions of child welfare now involve supportive, supplemental, and substitute services."

A. Substitute services are designed to substitute for parental care when parents are not able to carry out their functions and the child must be removed from the home. Such a decision is held to be in the child's best interest and return to the home is predicated on improvement being shown in the home conditions. Foster family placements, institutional care, group homes, and adoptions are examples of substitute services.

B. Supportive services are directed toward the maintenance of the child in his own home. They are directed toward strengthening the parents in performing in a manner consistent with societal

⁶DSS printout, op. cit.

expectations. Protective services, services to unmarried mothers, day-care, and homemaker services are examples of supportive services.

C. Supplemental services are directed toward supplementing the family in its functioning due to a deficit which exists within the home. These services are tangible in nature, usually financial, resulting from social insurance and public assistance programs. Aid to Families with Dependent Children, Workmen's Compensation and Old Age Survivor's and Disability Insurance are examples of supplemental services.

All designed to maintain the child in his own home or in as natural a substitute setting as possible. The goal is to meet the child's needs, such as continuation of attention, protection, stimulation, and nurture."⁷

⁷Brown, op. cit., p. 7.

CHAPTER 4

LITERATURE REVIEW

An abundance of literature has appeared in social work literature on the foster care system and what happens to children who enter it.

This literature review focuses only on the selective studies which have appeared relative to this area. Major studies to be discussed are those conducted by Maas and Engler, Goldstein and Freud, Sanford Katz, and the more recent studies by Wiltse and Gambrill and others.

The main area of concern focuses on the factors that affect decision-making and may lead to long-term foster care.

In 1957, Dr. Henry S. Maas of the University of California, Berkeley, and a team of researchers received a grant from the Field Foundation under a request from the Child Welfare League to study foster care. The Child Welfare League wished to know who these children were. Why they had been removed from their home? Why can't they go home or be adopted? A portion of the project concerned itself with long-term foster care.

From October 1957 to August 1958, two research

teams, each composed of a social worker and a sociologist, studied children in foster care in nine communities. The Maas study concluded that for a majority of these children investigated, restoration to a parent was unlikely, relinquishment for adoption, not an option for various reasons, and the likelihood of placement in a secure long-term home negligible. These leftover children started an era of controversy over the issue of long-term placement that continues to this day.

Maas cited as one of the foremost barriers to a permanent plan for a child is the law. In each of the studied cities, laws varied as did their interpretation at the judicial level.

In two-thirds of the communities the statute books made no clear provision for termination of parental rights. Other laws were ambiguous--the situations under which termination could be pressed were not clearly definable and open to judicial determination, which may be reflective of a judge's personal prejudices. Most of the differences were matters of interpretation and use rather than of legal provision.¹ Maas cites throughout his book various quotes reflecting the various views of the judges interviewed: ". . . children

¹Henry S. Maas, Children In Need Of Parents (N.Y.: Columbia Press, 1959), p. 38.

were not to be too protected, that they would survive even if not treated just."² "I have never removed a child permanently from his home. I always tell the parents in court hearings over custody."³ "I would not remove a child from his parent for psychological reasons. It is only cases of physical need that eventuate in removal of the child."⁴

Each judge seemed to represent not only his legal world of statutes, but the social world of his state and its communities. Maas states that, "the separateness of legal and welfare worlds precluded the formation of pressures to change approaches and definitions relative to the legal status of children."⁵

One of Maas' priorities was to clarify each child's legal status and to sever parental rights in all situations where it is obvious that the parents will never take responsibility for the child.⁶

To Maas, the effects of long-term foster care were devastating. ". . . the situation had left over half of the children with a confused sense of self-identity--they lacked the permanency of a home they could really call their own. . . . Far more of the children remaining in care than those adopted had psychological symptoms."⁷

Maas states that ". . . for children without homes

²Ibid., p. 109. ³Ibid., p. 105. ⁴Ibid., p. 100.
⁵Ibid., p. 40. ⁶Ibid., pp. 61-64. ⁷Ibid., p. 68.

of their own are in danger of being cast adrift in a culture which requires creative acts of every individual in his quest for identify and personal integration. Without homes and parents, they will have lacked the warmth of parental love and guidance which must accompany life's early challenges."⁸

He felt parents must be made aware of the increasing possibility of a child remaining in care; if not, repeated placements may occur and often result in an institutional setting for a disturbed child.⁹

Children in foster care face three alternatives: A return to their own parents, a permanent legal transfer to adoptive parents, and where neither of these solutions is possible, a secure long-term home with a loving and sympathetic foster family is best. The Maas study reveals that for a majority of the 4,000 children investigated, none of these solutions was likely to be reached. It is the left-over children, the hard core of youngsters who may spend their entire lives away from their families who must evoke the greatest human concern. These are the children year by year eroded from within until they reach helpless and hopeless adulthood, who must prod American communities into action. These are the children who have ceased even to wait.¹⁰

Children in placement are often "children in limbo,"

⁸Children In Need Of Parents (Child Welfare League, Inc., (N.Y., 1959), pamphlet, p. 1.

⁹Ibid., p. 1.

¹⁰Ibid., p. 4.

half are in institutions, another half in foster care.¹¹ While "their placement was not planned as a permanent solution, yet in more than half the cases cold fact shows that it has become so."¹² Maas concludes that in most cases permanency in planning was nonexistent--what it is, is choice by default.

No longer is the child coming into care the orphan-- "only one in ten has been separated from his home because of the death or institutionalization of a parent." A third have been placed in foster care by the courts, usually because of parental neglect or mistreatment. The reasons varied: a broken home, economic difficulties, illness, deep-seated psychological problems. They all added up to one fact: The parents of these children were no longer able or willing to care for them. Each year there are thousands of children for whom foster care is becoming a permanent way of life.¹³

Eileen Gambrill's study, Plans and Actualities, focused on the reality of what often happens in case work planning. Where restoration was the goal, Gambrill found a remarkable lack of systematic case planning.

In surveying its workers as to the kinds of help given the families, most notable by their absence "were

¹¹Ibid., p. 25.

¹²Ibid., p. 25.

¹³Ibid., p. 7.

actions that indicated confrontation of the mother with the need for a plan of action, explicit changes necessary to implement this plan, and set time limits within which to work." To Gambrill, restoration seemed almost happenstance.¹⁴

A child considered headed for restoration at one point in time may have a variety of fates. Part of the problem seemed to be workers' reluctance to set time limits or confront the natural parent with the need for a plan of action.¹⁵

In her study of cases headed for restoration after a year's lapse, Gambrill concluded that "there are some children in this group who have little likelihood of achieving return to their parents due to a combination of home circumstances plus worker's failure to systematically set objectives and time limits, and to have frequent contact with the natural parents."¹⁶

She concludes that many of these children, though some of them are young, will move into long-term foster care since lack of systematic case planning impedes progress, toward restoration or toward termination of parental rights and subsequent adoption.¹⁷

¹⁴Eileen Gambrill, Decision Making In Foster Care (1978: University of California, University Extension Publ.), printout.

¹⁵Ibid.

¹⁶Ibid.

¹⁷Ibid.

Gambrill felt that if adequate intervention in terms of step by step testing of parental capacities and interests, had occurred that these children slated for long-term foster care would instead fall into the termination category.

She feels that organizational obstacles hinder service. "The lack of uniform socialization of new workers . . . encourages a wide discretionary component in worker behavior."¹⁸

Gambrill states it is also difficult to monitor a large number of cases, and since uniform guidelines do not exist, even in cases which are monitored, decision recommendations may vary from supervisor to supervisor. "The supervisor's in an awkward position of being responsible for supervising invisible processes."¹⁹ Only by monitoring of worker behavior can other individual factors which affect service delivery be observed and changed, decision-making workers differ in the extent to which they are willing to take risks as well as in the weights they allot to various factors in any decisions they make."²⁰

The Adoption Bureau had another perspective on problems that lead to long-term foster care. An informal interview with a supervisor at the Adoption Bureau at DSS brought out some of the difficulties in placing a child for adoption. This in turn results in a greater number of

¹⁸Ibid.

¹⁹Ibid.

²⁰Ibid

children in long-term foster care setting rather than an adoptive setting.

The supervisor would like to see more research going into "what makes a home make it," but since Proposition 13 cutbacks little money is available for research. In addition, the worker's caseload is increasing above the average maximum of 36 cases.

While there are several grounds for termination, the county attorneys normally will only take clear-cut cases of abandonment or intent to abandon. The supervisor feels the failure of workers to adequately document their cases often results in a long-term placement. The supervisor felt that worker attitude toward termination could affect adequate documentation. Perhaps the worker "just didn't want to think in those terms."²¹ But she felt that the process should be the same in documenting a case whether it is headed for restoration, termination, or possible adoption.

A workshop was held in 1977 to improve this area but it was difficult to get supervisors interested. Also the physical distance between the two bureaus aggravates the situation.

The supervisor feels that the older child is much more difficult to place and might do better in a group home

²¹Adoption. Interview with Adoption Bureau Supervisor (DSS, Santa Clara County, 1977)

where he can maintain his distance.

The older child, "especially if he has been in repeated placements, feels that no one wants him and may set up failure situations. He feels powerless and this is one way to obtain power by making a placement situation fail. The child may try to drive a wedge between adoptive parents. Although adoption is the best plan, long-term foster care may be the only solution."²²

It was also stated during the interview that not only was it hard to place the older, handicapped, or minority child, that subsidized adoption was also limited to five years with exceptions being made only in special cases.

Jessica Pers in one portion of her study, Government As A Parent, points out her concern about the changing face of social service in foster care. She states that since the 1960's the social work personnel at the state level has changed to management personnel. The program supervision so prominent during the 1960's has been reduced and absorbed into the State Department of Health. As the Sacramento social work staff has become dominated by a system and management analysis approach, direct State supervision of county foster care programs has almost disappeared."²³

²² Ibid.

²³ Jessica Pers, Government As Parent (U.C. Berkeley: Institute of Governmental Studies, 1976), p. 51

Pers feels that the California Legislature has recently become aware that the present foster care system needs reform, but without a public understanding of the system as it now functions, efforts to improve it may be misdirected or ineffective.²⁴ "Counties are at odds with the State and federal government who wish to streamline all social welfare programs, including foster care, to make them more efficient--not to provide more and varied services for troubled families as the county would like to do."²⁵

Pers states that each county agency provides services to foster children and foster parents based largely on that agency's ability to influence the allocation of county revenue for such social programs. "Thus the accident of where a child lives may greatly affect his or her experiences as a foster child."²⁶

Pers feels the foster care system in California, based as is on a systems and management approach, "does not force the individuals involved to make permanent decisions, rather the system is designed to maintain order and avoid or manage crises. In fact, bureaucratic situations within the welfare departments virtually ensure that long-term decisions will not be made."²⁷

The Arlo study also focused in part on the relationship between funding and program policy. Program compliance

²⁴Ibid., p. 2. ²⁵Ibid., p. 13. ²⁶Ibid., p. 13.
²⁷Ibid., p. 84.

is really in terms of assuring federal and State reimbursement rather than specific county policy. Accountability for service is in the area of compliance for receiving funds, not whether or not the system is working adequately for the protection of the child.

"The State is clearly unresponsive to the demands made by the local agencies for intelligent direction and instruction in the administration of their program, but this has not always been the case."²⁸

In the past, State heads periodically visited the local agencies and offered their assistance. Since Ronald Reagan entered the picture, the State failed to interact constructively with the local agencies. Reagan replaced State administrators who possessed MSW and other relevant degrees with political figures who knew little about the program's mechanics.²⁹ The result is a program administered by men who do not have adequate knowledge of the field they serve.

One major problem confronting the agency is the freeze on the program funds. The freeze was enacted last Fall by the Board of Supervisors due to pressure from the State officials to cut the State's budget.³⁰ The freeze

²⁸Action Research Liaison Office, "Foster Care In Santa Clara County: Why Do Families Leave The Program," (1976, Stanford, California), p. 18.

²⁹Ibid., p. 34.

³⁰Ibid., p. 16.

significantly adds to the burden of an already understaffed foster care program. The fear of layoffs and the resulting increased workloads for workers is not simply one of the agency's nightmares, but it is a reality today.³¹

Sanford Katz's study, When Parents Fail, was an overview of the legal issues involved in family breakups. One section touched on some of the legal issues involved in foster care. One of the issues involved was adoption. Katz noted that social service agencies differed in their response to adoption requests by foster parents, thus, often leaving a child in a long-term foster care when he could have been in a legally more permanent situation.

Katz cites one such case where a child was removed from a foster home by a Writ of Habeas Corpus instigated by the social service agency. The court did decide to remove the child from the home and place her in a "neutral environment where her relationship (with natural mother), which was nonexistent, wouldn't be threatened. The agency stated that the foster parents were indulging her with too much love.³²

The effect of the indulgence was a strain on her relationship with her natural mother, which was practically nonexistent.

The issue to the court was not in the best interests

³¹Ibid., p. 16.

³²Sanford Katz, When Parents Fail: The Law's Response to Family Breakdown (Boston: Beacon Press, 1971), p. 98.

of the child, but that the "program of agencies such as child care may not be subverted by foster parents who breach their trust."³³

The outcome of the case was in direct contradiction to the theories of those child development specialists who would avoid multiple placements because "the greatest damage to healthy psychological development is instability and the kinds of impediments that would interfere with the process of identity formation."³⁴ When a foster care home is used to provide a temporary home for a child eligible for adoption, it loses its unique properties and in fact often operates to defeat the best interests of a child by breaking the continuity of care.³⁵

Joseph Goldstein, Grace Freud, and J. Solnit collaborated on Beyond the Best Interests Of The Child, which cites the need for utilizing psychoanalytic theory about the growth and development of children into guidelines for decision-making in placement.

One aspect of the theory focuses on a child's sense of time which differs greatly from the adults. "A child's sense of time is based on the urgency of his or her individual and emotional needs and thus differs from an adult's sense of time, as adults are better able to anticipate the

³³Ibid., p. 100.

³⁴Ibid., p. 100.

³⁵Ibid., p. 106.

future and thus manage delay. A child's sense of time changes as he or she develops. Intervals of separation between parent and child that would constitute important breaks in continuity at one age might be of reduced significance at a later age."³⁶

Emotionally and intellectually an infant or toddler cannot stretch his waiting more than a few days without feeling overwhelmed by the absence of parents. During such an absence for the child under two years of age, the new adult who cares for the child's physical needs is latched onto "quickly" as the potential psychological parent. The replacement (parent), however ideal, may not be able to heal completely without emotional scarring, the injury sustained by the loss.³⁷

For most children under the age of five years, an absence of more than two months is equally beyond comprehension.³⁸

For the younger school-age child, an absence of six months or more may be similarly experienced. More than one year of being without parents and without evidence that there are parental concerns and expectations is not likely to be understood by the older school-age child and will carry with it the detrimental implications of the breaches

³⁶Joseph Goldstein and Anna Freud, Beyond The Best Interests Of The Child (N.Y.: The Free Press, 1973), p. 18.

³⁷Ibid., p. 40.

³⁸Ibid., p. 41.

in continuity we have already described. After adolescence, an individual's sense of time closely approaches that of most adults. "The significance of parental absences depends, then, upon their duration, frequency, and its developmental period during which they occur. . . Since a child's sense of time is directly related to his capacity to cope with breaches in continuity, it becomes a factor in determining if, rather, and with what urgency the laws should act."³⁹

". . . Therefore, to avoid irreparable psychological injury, placement, whenever in dispute, must be treated as the emergency that it is for the child."⁴⁰

Continuity of relationships are also essential for a child's normal development. "The instability of all mental processes during the period of development needs to be offset by stability and uninterrupted support from external sources."⁴¹

"Infancy, from birth to approximately 18 months, any change in routine leads to food refusals, digestive upsets, sleeping difficulties, and crying⁴². . . Such moves from the familiar to the unfamiliar cause discomfort, distress, and delays in the infant's orientation and adaptation within his surroundings."⁴³

"Change of the caretaking persons further affects

³⁹Ibid., p. 42 ⁴⁰Ibid., p. 43. ⁴¹Ibid., p. 32
⁴²Ibid., p. 32. ⁴³Ibid., p. 32.

the course of their emotional development . . . Where continuity of such relationships is interrupted more than once, as happens due to multiple placements in the early years, the children's emotional attachments become increasingly shallow and indiscriminate."⁴⁴

For children under the age of five, disruptions of continuity affects those achievements which are rooted and develop in the intimate interchange with a stable parent figure who is in the process of becoming the psychological parent. The more recently the achievement has been acquired, the easier it is for the child to lose it. Examples of this are cleanliness and speech. After separation from the familiar mother, young children are known to have breakdowns in toilet training and to lose or lessen their ability to communicate verbally. "For school-age children, the breaks in their relationship . . . affect above all those achievements which are based on identification with the parents' demands, prohibition, and social ideals. Such identifications develop only where attachments are stable and tend to be abandoned by the child if he feels abandonment by the adults in question. Resentment toward the adults who have disappointed them in the past makes them adopt the attitude of not caring for anybody . . . In any case, multiple placement at these ages puts many children beyond the reach of educa-

⁴⁴Ibid., p. 33.

tional influence and becomes the direct cause of behavior which the schools experience as disrupting and the courts label as dissocial, delinquent, or even criminal."⁴⁵

With adolescents a break in attachments may be seen as desired, "but disruptions of attachment should come exclusively from his side and not be imposed on him by any form of abandonment or rejection on the psychological parent's part."⁴⁶

This continuity is a guideline because emotional attachments are tenuous and vulnerable in early life and need stability of external arrangements for their development. Implications for laws on adoptions, custody, and foster care are that each child placement be final and unconditional, and that pending final placement a child must not be shifted to accord with each tentative decision. This means that all placements, except where specifically designed for brief temporary care, shall be as permanent as the placement of a newborn with biological parents."⁴⁷

This need for continuity of care pinpoints the dangers inherent of extending a "temporary" foster care placement into a prolonged but not permanent placement.

Temporary foster agreements imply a "warning against any deep emotional involvement with the child."⁴⁸

⁴⁵Ibid., p. 34.

⁴⁶Ibid., p. 35.

⁴⁷Ibid., p. 21.

⁴⁸Ibid., p. 25.

"So far as the foster child is concerned, he will, at least after infancy is passed, feel the impermanency and insecurity of the arrangement which clashes with his need for emotional consistency."⁴⁹

"Under the terms of the agreement, the child-foster parent relationship has little likelihood of promoting the psychological parent-wanted child relationship. . . . Where foster parents need the warning given and fulfill their task, they evoke in the child a reduced response as well, too lukewarm to serve the infant's developmental needs for emotional progress or the older child's need for relatedness and identification. Further, and this serves to explain the frequent breakdown of foster placement, the emotional bonds of the adults to the children will be loose enough to be broken whenever external circumstances make the presence of the foster child in the home inconvenient and irksome."⁵⁰

When an extended period of time passes, foster parents often transgress the roles assigned to them and become emotionally involved and do become the psychological parents of the foster child.

"Where legal recognition is withheld from it and the child is removed, the forcible interruption of the relationship, besides causing distress to the fostering adults, is reacted to by the child with emotional distress and a setback of ongoing development. Such reactions do not differ from those caused by separation from, or death of, natural or adoptive parents."⁵¹

⁴⁹ Ibid., p. 25.

⁵⁰ Ibid., p. 26.

For children, the psychological parent is paramount; this may or may not be the biological parent. "The role can be fulfilled either by a biological parent or by an adoptive parent or by any other caring adult, but never by an absent, inactive adult whatever his biological or legal relationship to the child may be."⁵²

The study concludes that guidelines based on a knowledge of child development should be utilized by workers involved in the placement process.

In contested actions children should be accorded party status and be represented by a lawyer or a child's advocate knowledgeable about children and their development.

Only the child advocate will have a really conflict-free interest in representing the child.

Child care agencies often have conflicts of interest between their need to safeguard some agency policy and the needs of the young child to be placed.⁵³

The San Jose Mercury published an article, "Children Have Friend In Court", which was about an innovative program in Michigan (Concern for Children in Placement Projects (CIP)) which aims to prevent long-term foster care for the "unadopt-

⁵¹Ibid., p. 27

⁵²Ibid., p. 19

⁵³Ibid., p. 66.

able child". The program reflects "an emerging judicial recognition of the legal right of children to quality parental care once and to a permanent family. It also reflects the growing awareness among child welfare personnel that adoptive homes can be found for all children, no matter what age or race or handicap."⁵⁴

"Too often temporary foster care becomes permanent because of the inadequate attempts by agencies to reunite families or the court's unwillingness to terminate the rights of clearly neglectful or abusive parents."⁵⁵

"Of the estimated 500,000 children in foster care, many have been 'lost' in the system because of poor court or agency record-keeping. Agencies sometimes are sluggish in moving children because their financial survival depends upon the per diem rate they receive from the government for each individual in foster care. This fiscal 'disincentive' to encourage permanent placement is aggravated when the determination of a child's future is left almost exclusively to an overburdened social worker with minimal training or experience. Decisions are often prejudiced or arbitrary, and too many workers tend to consider older, handicapped, or minority children unadoptable."⁵⁶

Judge Steketee's court was the first to challenge such attitudes through an adversary proceeding in which the court

⁵⁴Lynne McTaggart, "Children Have A Friend In Court", Parade (1979: San Jose Mercury).

⁵⁵Ibid.

⁵⁶Ibid.

acts as advocate for the child. Two lay persons keep track of all children under the court's jurisdiction and prepare case files, including the length of time they have been in care, the number of foster homes to which they have been transferred, and their legal status with their parents. The court appoints an attorney to represent each child in court. At least every six months review hearings are held where everyone comes together--the case workers, the child's attorney, the natural parents--to discuss plans to provide a stable home life.

Periodic court review of the status of its wards has been mandatory in Michigan since 1966, but prior to 1972 hearings were often a rubber stamping of agency's decisions.

In 1972 Steketee was approached by Peter Forsythe, founder of the Spaulding for Children Agencies, who wanted to start a branch in Michigan. At Forsythe's request, Steketee hired lay persons to determine whether children were needlessly drifting in foster care. The two year study showed that many children remained in care only because they had been classified as unadoptable and in many cases a foster family desired to adopt their foster child but the agency simply had never explored the possibility.

In 1974, aided by a foundation grant, Steketee improved upon the pilot Michigan reviewing system and founded what he called "Phase 1 of CIP", selecting 12 diversified courts to participate in the program and holding training sessions

for judges and court personnel. At the onset 24 percent of the children in these courts had been in foster care for five to ten years, and 30 percent had not had their cases reviewed in three to ten years, and 56 percent had been moved to at least three foster homes.

After two years, among 2499 cases reviewed at four of the courts, 927 children were moved out of foster care: 195 were returned home, 40 placed with relatives, 600 adopted, 70 discharged because they had reached their majority, and 22 placed in other permanent settings.

A final report on the three year study of the Phase 1 courts showed results less dramatic than the initial findings, but it did indicate an increase in plans and placements in more permanent settings (such as adoption) and a decrease in "limbo" placements (permanent foster care).

Phase 2 of CIP will attempt to introduce many more courts and juvenile judges to the project, with training projects tailored to individual court needs, particularly for those that cannot afford to hire attorneys to represent the children or lay persons to review court files. Under one plan, the courts train volunteers to act as advocates for children during hearings. Courts participating in CIP have recruited volunteers from the Junior League, law schools or universities, PTA boards, church groups, and senior citizen organizations. The National Council of Jewish Women recently received a grant to train volunteers

as review-hearing advocates. "All you have to do is find a few kids lost in the system and that justifies more than an entire salary" says Steketee.⁵⁷

Although many state laws require periodic reviews of foster children, Maris Blechner, a New York child advocate, believes that CIP court reviews are often a farce because many judges aren't trained in child psychology and no one acts as advocate for the child--"The judges don't have to speak to the children; you don't have to have a lay guardian; you don't have to have anything."⁵⁸

Steketee's review process has won an award from the National Council of Juvenile and Family Court Judges.

Steketee states that it is the court's obligation to provide a forum for these problems because the court has the final authority to decide the fate of these children. "We are taking these kids over from their parents because of parental or family neglect. For God's sake, we'd better not commit the same sin ourselves, substituting governmental neglect for parental neglect."⁵⁹

Jayne Kionery, a social worker at Spaulding, believes that this kind of review board is going to get more results for kids than anything else because those people are going to keep pushing; they're going to make life very uncomfortable for all of us social workers, and sometimes our lives need to be made uncomfortable.⁶⁰

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Ibid.

CHAPTER 5
RESEARCH METHODOLOGY

Rationale of Design

This study is descriptive and exploratory research. The purpose of this kind of research is to describe what the existing state of affairs is as well as to offer reasons for the existence of a particular problem.¹

Survey research is the method utilized for data collection. The data collection instrument was a structured questionnaire designed to determine the attitudes of child care workers toward certain variables that affect the decision-making process relative to permanent planning (Appendix A). Specifically, this study is a single group design, using a descriptive approach in surveying worker attitudes toward the various factors, internal and external, that lead to a child's prolonged placement in foster care.

Location of Study and Description of Sample

The location of the study was in the Foster Care

¹A. J. Egan, Research: The Magical Mystery Trip (Iowa: Kendall/Hunt Publishing Co., 1976), p. 12.

Unit of the Department of Social Services at 55 West Younger Street, San Jose, California.

There were nine units in the Bureau, but only five were directly involved in out-of-home placement and supervision.

The number of workers in the Bureau included 50 workers, but only 29 were directly involved in placement and supervision of foster care children. The remainder are either supervisory personnel, community workers, special services, intake or licensing people, or social workers who are involved with developmentally disabled children. The sample was 100% of those workers involved in direct placement, and this is the group the survey was directed at.

Sample

A stratified sample of workers was chosen from Bureau EIV, the Child Placement Bureau of the Child Welfare Department.

The sample included those workers directly involved with the placement and supervision of children in out-of-home placement. It excluded workers with a majority of children in institutional shelters, mental hygiene homes, and the developmentally disabled. Also the licensing units, intake and Special Services were excluded (see Fig. 1).

Figure 1

<u>Unit</u>	<u>Description</u>	<u>No. of Workers</u>	<u>Sample</u>
E40	Intake	8	0
E41	Special Services	9	2
E42	Licensing	9	0
E43	Licensing	11	0
E44	Placement	4	3
E45	Placement	9	7
E46	Placement	12	7
E47	Placement	8	3
E48	Placement	<u>10</u>	<u>7</u>
		80	N = 29

The Design Instrument

The research instrument was a structured questionnaire which was administered to a selective group of placement workers.

The data to be collected varied in content of the scales utilized reflected the type of data sought; a nominal scale for relating answers to a specific category, ordinal for categorizing workers according to educational and work background, and interval for grouping of ages.

The questions were in some instances forced choice answers to pinpoint discreet variables, i.e., personal attitudes in relationship to supposedly fixed factors, setting time limits, adoption, and legal rights. This was

done to give weight to possible preferred attitudes that might not be arrived at if treated as a continuous variable and where the possible significance of a weighted attitude could not be discerned.

Implementation of the study will be, in addition to a structured questionnaire, the use of informal interviews with agency personnel, collection of statistics significant to the problem at various levels, plus review of relevant literature.

The questionnaire itself consists of 41 questions centered about six areas of exploration. The questionnaire was anonymous, but was coded for accountability and the further need to obtain some statistics not permitted to be gathered through the questionnaire due to the department's reluctance to have workers involved in answering questions involving a statistical accounting of cases, at least not where the department felt they could be found elsewhere.

Approval of the study was forthcoming from Wesley Jones, DSS Director, after some difficulty. The main center of the dispute appeared to be whether or not this study would effect immediate change in the system.

The part that was allowed was where a breakdown of statistics was needed and could only be obtained by worker knowledge, or a search of individual cases which would have involved the researching of approximately 1160 cases.

Following approval, the questionnaire was given to

the 29 workers, along with a cover letter and method of recovering the data (a box located in Bureau EVI supervisor's office).

A period of ten days was given before collection of the data. Workers were instructed to leave the instrument in a designated covered box where they would cross off their names.

The majority of workers returned the questionnaire within the ten day period. A small number of workers were contacted requesting the return of the questionnaire. One worker felt this was harassment and her questionnaire was returned. Twenty-four out of the 29 were returned.

Problems in Data Collection

The prime problem occurred in the collection of statistics. Questions 10-16 were designed first to account for the number of children in care over two years, then, secondly to give a breakdown as to the current plan or future plan for this group. For example, what number of these children had legal guardians, how many were being referred for guardianship, how many were headed for restoration or adoption, how many were to be in long-term foster care, and how many had no permanent plan formulated.

Questions 16-18 attempted to find out how many workers an individual case had during this two year period.

To be fully valid, the totals in question 10,

questions 11-16, and questions 17-18 should have matched. There was some discrepancy among the three totals.

The investigator has included the data for consideration in this section because of the great difficulty in securing this information from other sources in the agency.

Sources of Data

In trying to locate other sources for planning accountability, the investigator went to the monthly case-load reports. At the time of this study they were being phased out and were not available for all units.

Next, the investigator went to the quarterly case-load reports. Once again, the investigator was missing the report from one unit; a supervisor had left the unit and the report was unable to be located (See Appendix B).

The individual record keeping of the various units made it very difficult to match up any total and develop any conclusions regarding placement planning.

A significant problem did seem to be apparent in deciding a plan for a child. The majority of supervisors had only four categories of choice for planning: restoration, adoption, guardianship, or long-term foster care. One supervisor included an "other" category. This brought up the question of whether long-term foster care is seen as a definite plan on par with the other three categories, or is it the last alternative of choice when the plan doesn't fit the other three categories?

The question is: When locked into making a plan, is long-term foster care a category that really includes both legitimate planning cases and cases that have no permanent plan, thus negating the legitimacy of the category itself?

Other statistical sources were sought out. The 277 forms submitted monthly for accounting of service contacts were checked for finding out the percentage of children in care over two years. A random sample of 194 cases was taken from a total of 970 cases.

The sample was from computer printouts that listed approximately 10 cases per page under the worker's number. The results were that approximately 20% of the total cases were in care over two years. The interesting fact is that while some workers had few cases in care over two years, a significant number had close to 50% of their cases in care over two years.

One other source was sought for statistical information--SOC158, the foster care registry (See Appendix C), an 11 page document that is initially completed at the case onset and updated as needed. These records were not available for tabulation--as soon as completed they were sent to Sacramento. Statistics from these records were not available in San Jose and Sacramento did not have a current computation of statistics available from these forms due to a breakdown in the computer software in December 1978. In September 1979, the Foster Care Registry was discontinued (See Appendix D letter).

To conclude, obtaining an overall statistical view of foster care from one source is close to impossible; statistics are fragmented and serve only special uses, mainly a financial accounting. They are not readily available for one seeking an holistic understanding and accounting of those statistics which would give a concise picture of the total number of children in years, length of time in care, number of placements, number of workers, breakdown of the current number of children, and which plans they are being channeled into.

This type of information must practically be accumulated by doing an individual case search.

In June 1974 a study of dependent and voluntary home placements concluded the need for an extensive data collection program on the case plans for both voluntary and dependent children which would be continually maintained and statistically analyzed on a periodic basis. At that time they noted the department had not kept records which could be traced back longitudinally without a search of the individual files.² In February 1979 the investigator noted the situation remained the same.

²Robert Lindley, Dependent and Voluntary Placements (Santa Clara County Social Services Report--Number 74-A, 6/13/74 - mineo).

CHAPTER 6

DATA ANALYSIS AND INTERPRETATION

(1) Question 1 sought information on the length of time workers had worked in foster care (See Fig. 1).

Analysis:

Fourteen workers had spent seven years or more in foster care. Ten had spent one to six years in this area, with the greatest number having spent seven years.

Interpretation:

The data concluded the majority of workers were permanent and had spent considerable time in this area.

Fig. 1

Length of Time Workers Have Been in Foster Care

<u>Time</u>	<u>Workers</u>
1-3 years	3
4-6 years	7
7-10 years	10
10 or more years	4
*N =	24

*Note: For purposes of calculating statistics, N will equal 24--total number of questionnaires returned.

(2) Question 2 sought information as to the length of time a worker had spent in this particular foster care unit (See Fig. 2).

Analysis:

There was a close match between the length of time in foster care and length of employment in this particular foster care unit. Nineteen workers had been in this unit four to ten years, but the greatest concentration was in the 4-6 year period. This did show that while workers had been in foster care for a lengthy period, not all of their experience was in this one department.

Interpretation:

Noting that a majority of workers gained their experience in this particular unit, one might conclude they would be uniform in their interpretation of departmental policy.

Fig. 2

Length of Time in Present Unit

<u>Time</u>	<u>Workers</u>
1-3 years	4
4-6 years	11
6-10 years	8
10 or more years	1
N =	24

(3) Question 3 sought to gain information above the educational level of the workers (See Fig. 3).

Analysis:

The majority of workers were of the graduate level.

Interpretation:

The professionalism of the group indicates that they probably have the skills and knowledge of intrafamily relationships, community resources, and a professional set of values that would lead to early diagnosis or prognosis of the family situation and likelihood of the prospects for restoration of the child.

Fig. 3

Educational Level of Workers

<u>Degree</u>	<u>Workers</u>
High School	
Bachelors Degree	1
MSW Degree	22
MA in other area	2*
N =	24

*One worker had two MA's.

(4) Question 4 sought to gauge the average age of the case-workers in this unit (See Fig. 4).

Analysis:

The majority of workers were 31 to 40 years of age.

Interpretation:

Their maturity of age and length of time spent in foster care should be indicative of professionals who were capable of assessing a situation and formalizing a treatment plan with time limits in mind.

Fig. 4

Distribution of Ages

<u>Age</u>	<u>Workers</u>
21-30 years	2
31-40 years	14
41-50 years	5
51-60 years	3
61-70 years	0
N =	24

(5) Question 5 concerned itself with the amount of in-service training workers receive in this agency (See Fig. 5).

Analysis:

The group was split on this one. One-half of the

group had received training, the other half had not.

Interpretation:

This was difficult to interpret because in-service training was not clearly defined.

Did their training incorporate aspects of decision-making in foster care or merely how to fill out the vast amount of forms required.

Fig. 5

In-Service Training Concerning
Decision-Making

<u>Response</u>	<u>Workers</u>
Yes	12
No	12
	N = 24

(6) Question 6 was addressed to those who hadn't any in-service training and whether they felt it would have been helpful.

Analysis:

Only a quarter of those who hadn't had any training felt it would be helpful.

Interpretation:

Not having a clearly defined definition of what

in-service training consists of at this agency left the question relatively of little significance.

(7) Question 7 sought to focus on whether the agency goal overemphasized returning children home to the detriment of the individual child (See Fig. 6).

Analysis:

The majority of the workers felt returning children home and ensuring the healthy development of children were equal goals of the agency.

Interpretation:

The workers felt that the agency goal, whether directed at increasing the number of children returned home, realized that this option was not always open and would consider alternatives in order to protect and assure the healthy development of children both physically and emotionally.

(8) Question 8 sought to find out if workers' view of the goals of foster care were the same as the agency's goals (See Fig. 7).

Analysis and Interpretation:

The majority of workers felt their own values coincide with agency goals.

(9) In Question 9 workers were asked how they arrived at the conclusion of whether their values coincided with agency goals (See Fig. 8).

Fig. 6

Goal Emphasized by this Agency	
Goal	Worker
To increase the rate of restoration	2
To ensure the healthy development of children, regardless of the plan	1
Both goals of equal importance to this agency	21
N =	24

Fig. 7

Worker Agreement With Agency Goals

<u>Response</u>	<u>Worker</u>
In Agreement	21
Not in agreement	2
No response	1
N =	24

Fig. 8

Means by Which Workers Arrived
at Agency Goals

<u>Response</u>	<u>Worker</u>
Agency training	0
Agency policy	7
Supervisory conference	16
Other	14
*N =	27

*One worker checked all three categories.

Analysis:

Half of the workers felt they arrived at this conclusion by supervisory conference or exposure to stated agency policies. The remaining half arrived at their conclusion by other more subjective means.

Interpretation:

Agency policy, whether directly stated or interpreted subjectively, appears to match what workers consider the goals of foster care in general.

(10) Questions 10-16 sought statistical information as to the number of children in care over two years and a breakdown of plans for those children (See Figs. 9 and 10).

Analysis:

There was difficulty in analyzing the numbers given because there was a slight discrepancy between stated plans and number of children.

This could be due to the workers having to give estimates of these figures.

Interpretation:

These statistics were unavailable outside of individually researched cases for case plans. The disparity in figures could be caused by workers having to estimate the numbers.

Fig. 9

Number of Children in Care
Over 2 Years

<u>Years in Placement</u>	<u>Children</u>
2-5 years	350
6-9 years	85
10 or more years	55
Total	390

Fig. 10

Plans for Children in Care Over Two Years

<u>Plan</u>	<u>Number of Children</u>
Already have legal guardians	54
To be referred for adoption	12
Restoration	52
Long-term foster care	175
Referred for guardianship	23
No plan formulated	64
Total	316
N =	390

(11) Questions 17-18 sought to gain information about the average number of workers a case may have had in its life span.

Analysis and Interpretation:

Figures were invalid due to probable misinterpretation of the question.

(12) Questions 19-20 dealt with workers' interpretation of whether child welfare laws were adequate in this state and whether they were more protective of the child or parent (see Fig. 11).

Analysis:

Over half of the workers felt the laws were adequate, while a quarter felt they were too lenient. Only one person felt they were too harsh. There were some no responses. The workers did feel the law sided with the parent.

Interepretation:

The majority of workers felt the child welfare laws in California adequate, but more protective of parents' rights than children's rights.

Fig. 11

Attitudes Regarding Emphasis of
Child Welfare Laws in California

<u>Laws more:</u>	<u>Workers</u>
Protective of child	4
Protective of parent	14
Equally protective	6
N =	24

(13) Questions 21-23 focused on whether workers felt the laws should limit time in placement (See Fig. 12) and whether long-term foster care could be curtailed by stronger, more explicit laws (See Fig. 13). Also, whether the present laws were applied equally to voluntary and agency placements (See Fig. 14).

(14) Questions 24-25 dealt with whether long-term foster care results from the difficulty of terminating parental rights (See Fig. 15), or does the problem reside not in the laws but in the judicial interpretation of them (See Fig. 16).

Analysis:

The majority of workers felt there should not be a time limit on children in placement and that there should be no new laws which would restrict the use of long-term foster care.

Workers did agree that long-term foster care does openly result from the difficulty of terminating parental rights, but the majority of workers felt the problem was not a lack of adequate laws, but the difficulty resided in the judicial interpretation of the laws.

Interpretation:

In discussing the relationship of the laws and the difficulty of terminating parental rights, the majority believed the problem resided in the courts, with the judicial interpretation of the laws and

this often led to long-term foster care where termination was not possible due to judicial discretion. Workers did feel the need for long-term foster care and did not feel the law should limit time in placement nor did they feel the law was equal in its treatment of voluntary and dependent placements.

(15) Questions 26-28 dealt with workers' knowledge of SB 30, a pilot project which sets limits on the length of time a child could spend in placement before court action was instigated to free the child and place him in a more permanent setting (See Fig. 17).

Analysis:

The majority of workers were not familiar with SB 30, Gregorio's Family Protection Act, which was designed with the goal of "reducing" the number of

children in foster care by provision of services to natural parents to help reunify families and by requiring timely decision-making about children who remain in foster care in order to provide them with alternative and more permanent placements.

The use of time limited contracts would affect voluntary placements which are often outside the power of social workers. The workers didn't know if the bill would help prevent unnecessary long-term placement (See Fig. 18), and were divided on whether it would be easier to terminate parental rights if such a contract was used (See Fig. 19).

(16) Questions 29 and 30 were concerned with a worker's interpretation of the power of judges in judicial hearings and their preference for the rights of a parent versus the rights of a child (See Figs. 20-21).

Analysis:

Over half of the workers felt strongly that the child welfare laws favored the parent. Slightly less than half felt that judges favored the parent, but the majority did feel that judges have too much discretionary power in adoptive and dependency hearings in this county.

Interpretation:

While workers feel child welfare laws were more protective of parental rights, they were less

positive about judicial preferences. Due to the frequent turnover of judges, their feelings could be influenced by judges that they have dealt with and have heard about.

The majority did feel that judges have too much discretionary power in their interpretation of the law.

(17) Questions 31-32 dealt with whether contested dependency hearings should be heard before a jury or panel in preference to a judge and whether that jury or panel be composed of a selective group.

(18) Question 33 dealt with whether social workers should be considered expert witnesses.

Analysis and Interpretation:

There were equally divided on their feelings of substituting a panel or jury for a judge in contested hearings, but they did feel that in either case social workers should be considered as expert witnesses. Considering their feelings that judges have too much discretionary power, it is interesting that only half feel a jury should be substituted for a judge.

(19) Question 34 focused on whether foster parents should have the right to adopt (See Fig. 22), while questions 35 and 36 dealt

with cases being rejected by adoption bureaus because of difficulty in placing the child rather than any problem terminating parental rights, and whether if there was a significant number of unadoptable children, would subsidized long-term foster care fill this void.

Analysis and interpretation:

Problem--interpretation: Does this mean that some workers feel that foster parents shouldn't adopt, or is there trouble with the two year time limit, or would workers have answered yes if there was no time limit or if the period was extended, or if it was discussed, under what circumstances would the foster parents have this right?

They did feel that often the problem was not in terminating parental rights, but that in the view of the adoption bureau, the child was unadoptable.

The majority of the workers did feel the option of subsidized long-term foster care would be an alternative to adoption and would equally protect the status and stability of the child.

(20) Questions 37-38 were concerned with workers' feelings about setting time limits (See Fig. 23).

Analysis and Interpretation:

The majority of workers felt that children should

be in foster care less than two years, but they were not willing to accept the idea of terminating parental rights after two years if restoration was not possible in this time period.

The majority did not feel the natural family should be preserved at all costs, but they were not comfortable with terminating parental rights even if the law stated it was to be done after two years. The workers did feel the emotional well-being of a child is significant enough to be a justification for terminating parental rights.

Only a small percentage of workers felt that the reluctance of workers to confront parents about possible relinquishment was a problem, but by their answers in other areas they do seem to have a problem in setting time limits in foster care.

The workers also preferred maintaining the status quo of a child in a long-term foster care setting if the relationship was good rather than pressing for adoption. Whether this means they would prefer the long-term situation over having the foster parents themselves press for adoption is open to question.

Figures 12 through 23 for Sections (13)
to (20):

Fig. 12

Attitudes Toward Legally Enforced Time
Limits in Foster Care

<u>Response</u>	<u>Worker</u>
Pro	8
Con	15
No response	1
N =	24

Fig. 13

Attitudes Toward Stronger Laws Which
Preclude Long-Term Foster Care

<u>Response</u>	<u>Worker</u>
Pro	6
Con	17
No response	1
N =	24

Fig. 14

Equal Application of Termination Statutes
Toward Dependent and Voluntary Placements

<u>Response</u>	<u>Worker</u>
Equal application	5
Not equal	15
No response	4
N =	24

Fig. 15

Does Difficulty in Terminating Parental
Rights Result in Long-Term Foster Care?

<u>Response</u>	<u>Worker</u>
Yes	17
No	6
No response	1
N =	24

Fig. 16

Difficulty in Terminating Parental Rights
Resides not in the Law, but in
their Interpretation

<u>Response</u>	<u>Worker</u>
Yes	15
No	6
No response	3
N =	24

Fig. 17

Worker Familiarity with SB 30
(the Gregorio bill) and its Pilot Project
in San Mateo

<u>Response</u>	<u>Worker</u>
Familiar with Project	5
Not familiar	19
N =	24

Fig. 18

Worker Attitude Toward the Possibility
of Such a Bill Preventing Long-Term
Foster Care

<u>Response</u>	<u>Worker</u>
Would prevent	5
Wouldn't prevent	6
Didn't know	12
No response	1
N =	24

Fig. 19

Worker Attitude Toward the Bill Making
it Easier to Terminate Parental Rights

<u>Response</u>	<u>Worker</u>
Yes	7
No	7
No response	10
N =	24

Fig. 20

Do Workers Feel Judges Favor
Parents' Rights Over Children's Rights?

<u>Response</u>	<u>Worker</u>
Parents' rights	11
Children's rights	3
Both of equal importance	7
No response	3
N =	24

Fig. 21

Workers Attitudes Toward the Amount of
Discretionary Power Judges have in
Adoptive or Dependency Hearing

<u>Response</u>	<u>Worker</u>
Too much power	13
Reasonable amount of power	9
No response	2
N =	24

Fig. 22

Worker Attitude Toward Allowing Foster
Parent to Petition for Adoption After
a Two-Year Period

<u>Response</u>	<u>Worker</u>
Should be allowed to petition for adoption	11
Should not be allowed to petition for adoption	13
N =	24

Fig. 23

Worker Attitude Toward Terminating
Parental Rights After Two Years

<u>Response</u>	<u>Worker</u>
Yes	6
No	14
No response	4
	N = 24

Optional question:

This question sought to elicit from the worker their thoughts about preventing long-term foster care, the cause of long-term foster care, and whether they considered it to be a problem at all.

The quotes are cited here verbatim and refer to different aspects of foster care. Only a few workers responded to this question.

Quotes:

- (1) Long-term foster care is caused either by lack of availability of the parents for long periods of time or lack of progress of an inadequate mentally ill parent in spite of best therapeutic techniques of caseworkers and community agencies. Problem is that in spite of parent's mental illness, etc. parents will not relinquish the child, and termination of parental rights is difficult, if not impossible.
- (2) Inadequate but involved parents contribute to many long-term situations
- (3) Sometimes long-term foster care is the best plan. If the child will benefit from adoption or guardianship, it would be good to have the legal machinery to get such a case before the court, even if abandonment couldn't be proven, especially if a return home would be detrimental to the child--if the child has

formed a bond with the foster parents and rejected the natural parent.

- (4) Prime cause of long-term foster care are parents who are emotionally ill--in and out of mental institutions and prisons.
- (5) More time for evaluation and working with parents, child, and others involved.
- (6) Lower caseloads, more adequate temporary homes, stronger control on parental involvement, i.e., two year contract with no renewal if the parent has put forth no effort to meet his/her responsibilities.
- (7) I feel long-term foster care can be the best plan for a child, but only based on the child's needs after extensive evaluation.
- (8) Long-term foster care can be the right service for a mother to manage a period of jail confinement. Long-term foster care can be just right while a father handles his mid-40's syndrome. It can be, and often is, the filler for a mother who has no purpose for living. . . the rest period.

Some parents are just not good enough to manage their kids' adolescence and so they need a 3 or 4 year break. The law becomes cut and dry that two years is the cut-off date, disallows flexibility in the management of the casework process.

When people are boxed in time frames they sometimes

fail to complete their treatment process. They heal superficially with the cancer of loss and separation still festering.

Analysis and Interpretation:

The workers felt that "inadequate but involved parents" were the greatest cause of strife and the lack of adequate legal recourses to terminate parental rights in these cases. Only one worker stated the wish to have a definite time limit after which termination would be instigated if a parent failed to put forth any effort toward restoration. Two workers did appear to be comfortable with long-term foster care for differing reasons; one worker felt it was the best plan for parents, while the other worker was more inclined to favor the plan most appropriate for the child.

Narrative Comments by Workers in General:

- (1) Felt questionnaire assumed that termination and adoption were the best solutions. Felt the need for more experienced consultants to the bureau (or available to the bureau) in child welfare. Felt cases should be brought for review at regular intervals for discussion and presentation to expert welfare consultants. Realized that this approach would require lowered caseload for each worker.

- (2) In regard to child welfare laws, workers felt the problem was one of judicial interpretation and what county attorneys were "willing to do." Felt long-term foster care happens because some children are not adoptable and termination is not in the best interest of thos children. Believed that contested termination hearings should be held before individuals with expertise in child welfare.
- (3) Worker stated that he/she was not comfortable in making a yes/no choice, that planning for the end child in out-of-home care cannot be so simplified. "One danger in legislating foster care planning is that individual case situations may need some flexibility in alternatives."
- (4) In response to Question 34 the worker stated that foster parents can adopt children in their care. What is interesting to note is that about 50% of workers feel that foster parents shouldn't have the right to adopt.
- (5) "We must clarify our cultural values re parenting responsibilities and children's rights. I feel that long-term foster care can be the best plan for the child, but only based on the child's needs after an extensive evaluation."

- (6) In response to Question 29 regarding judges favoring parental or children's rights, the worker stated, ". . . judges change too frequently to lump all of them together." Need more time for evaluation and working with parents, child, and others involved to to this:
- a. Need lower caseload.
 - b. More adequate temporary homes
 - c. Stronger controls on parental involvement, i.e., two year contract with no renewal if the parent has put forth no effort to meet his/her responsibilities.
- (7) Worker felt that the prime causes of foster care are parents who are emotionally ill and in and out of mental institutions and prisons. Foster care was better than bad parents.
- (8) To the question on the goals of the agency, worker felt that administration emphasizes permanent planning whether case appropriate or not. In response to Question 36, subsidized long-term foster care, the worker felt guardianship does this. (Note: In reality it doesn't, it gives a little more responsibility to foster parents but does not really alter the situation. It may be revoked or contested at any time.)

- (9) Worker felt that long-term foster care sometimes is the best plan. "If the child will benefit from adoption or guardianship, it would be good to have the legal machinery to get such a case before the court, even if abandonment couldn't be proven, especially if a return home would be detrimental to the child, especially if the child has formed a bond with the foster family and rejected the natural parent(s)."
- (10) Worker believes parents "should be ordered to take parenting classes or face the possibility of a jail term. I think this is harsh, but I feel they would benefit from it if they truly care for and love their children."
- (11) Worker's response to the cause of long-term foster care was "inadequate, but involved parents contribute to many long-term situations."
- (12) Worker stated that in his "experience, long-term foster care is caused by either lack of availability of parents for long periods of time or lack of progress of an inadequate mentally ill parent in spite of best therapeutic techniques of caseworker and community agencies. Problem is that in spite of

parents' mental illness, etc., parents will not relinquish child and termination of parental rights is difficult, if not impossible."

- (13) Worker felt "more emphasis should be on prevention or supporting families in crisis, in erecting family support systems, including the use of respite care, homemaking service, better housing, and job opportunities for low income individuals."
- (14) In response to Question 36, worker stated that guardianship serves this purpose. (Note: Guardianship may be overturned by the courts.)
- (15) To Question 19, worker stated that child welfare laws are often irrelevant to the needs of the child and, therefore, inadequate.

CHAPTER 7

CONCLUSIONS AND RECOMMENDATIONS

Conclusion

The average childcare worker in the foster care unit at the Department of Social Services is 31 to 40 years old, has an M.S.W. degree, has worked in this field for seven to ten years, and in this setting approximately the same period of time.

The worker believes the agency goals are "increasing the rate of children returning home, and at the same time ensuring their healthy development even if it means an alternative placement."

He/she feels comfortable with the present child welfare laws and finds them adequate even if they are more protective of parental rights.

But he/she doesn't feel the laws should limit time in placement, but agrees that the laws are not equal in their treatment of dependent, voluntary placements.

He/she does not believe there should be any laws restricting long-term foster care, but does agree long-term foster care often happens because of the difficulty terminating parental rights. But feels the problem doesn't

reside with the laws, but their judicial interpretation.

The average worker is not familiar with one piece of current legislation, namely, the Gregorio bill, which limits time in placements and stipulates that the court may order that service be provided to children in their own homes for up to six months as in alternative to filing a dependence or neglect petition.

Presently this bill only affects five California counties.

Concerning child welfare laws, he/she feels judges favor the parent over the child and believes judges have too much discretionary power in adoptive and dependency hearings. At the same time, he/she was not too definite as to whether a jury or panel could more effectively handle contested hearings, but does feel social workers should be considered expert witnesses. Divided in his feelings about the right of a foster family petition for adoption after two years, he/she was inclined to disfavor the move.

The worker feels that many children find themselves in long-term foster care because the adoption bureau considers them unadoptable, but feels subsidized foster care or adoption could fill this void. Interestingly enough, he/she appeared more comfortable with subsidized foster care in preference to allowing the foster parents to adopt.

He/she did feel the "ideal" term for a child in care was two years or less, but did not agree to terminating

parental rights after this period. Even if the law stated it was to be done, he/she were not comfortable terminating parental rights.

But he/she did not feel the long-term foster care syndrome was due to worker reluctance to confront parents about relinquishing their children. Also, he/she preferred long-term foster care to adoption if the child had formed a strong bond with the foster family.

Recommendations

Setting Time Limits

The questionnaire led to the conclusion that workers did not feel an impetus to make timely decisions. Little consideration was given to the passage of time on the child and his need for a permanent psychological parent in the absence of a caring biological one.¹

An analysis of statewide California data showed that 25.6% of the children placed by the child welfare system had moved three or more times, 9.6% five or more times.² And may on occasion result in such multiple placement as evidenced by Smith vs Alameda County, where David Smith, a 17 year old, filed for \$500,000 in damages. At the time of filing he was

¹Jane Knitzer, Children Without Homes (Washington, D. C.: Children's Defense Fund, 1978), p. 29.

²California Department of Health, "Children In Foster Care" (Sacramento, California: Center of Health Statistics), p. 13.

currently in his 16th foster home.³

To assist workers in making timely decisions, it is recommended that:

1. Workers utilize a time limited reciprocal contract.

2. That "the Family Protection Act" (Gregorio's bill) is passed statewide after the end of its trial period in June 1981. "The goal of the law is to reduce the number of children in foster care by provision of services to natural parents to help reunify families and by requiring timely decision-making about children who remain in foster care."⁴ (See Appendix E)

Voluntary and Dependent Placements

In the Department of Social Services study of dependent and voluntary placements, it was noted that Santa Clara County DSS felt that a court review was not needed for voluntary placements, only dependent placements.

The California Social Service Analysis Report states that "the nature of the voluntary placement necessitates the parents' active involvement in all phases of planning for the child's care and this sustained involvement contributes to the ultimate resolution of the problems which resulted in placement. Children become dependents of the court because there is no

³Knitzer, op. cit., p. 40.

⁴Gregorio bill, p. 1.

parent or guardian exercising proper parental functions.

If court intervention were arbitrarily forced where it is not now required, among the likely results would be creation of an antagonistic relationship between the placing agency and the parent or guardian and the lessening of the responsible individual's need for sustained involvement and planning for the child."⁵

The report infers that a voluntary placement necessitates the parent's active involvement in all phases of planning for a child's care, while the dependent placement negates the need for sustained involvement and planning for the child by the parent.

If this is so, it only emphasizes the need for equal treatment of both placements to ensure equal impetus to involve the parents.

Findings of another study of 317 cases records in six California counties found that in the average children placed voluntarily remained in care as long as children placed by court action."⁶

⁵Santa Clara County Department of Social Services, "Dependent and Voluntary Placements" (California Social Services Analysis Report, No. 74-A, June 13, 1974) - mimeographed.

⁶Office of the Auditor General, "Report on the State's Role in Foster Care in California" (Sacramento, California, Jan. 1974), pp. 11-12.

To ensure equal treatment for dependent and voluntary placements, it is recommended that:

1. Both placements utilize time limited reciprocal contracts.

2. Both placements be subject to a court review of case progress and probable dispositions.

Funding

It has been noticed by many researchers that "it is easier to place a child than offer services which might prevent it."⁷ A 1974 year-long demonstration project to determine the impact of intensive casework efforts on preventing initial placements and facilitating restoration showed that at the end of 18 months 92% of the experimental group children initially at home remained at home, compared with 77% of the control group.⁸

To prevent, if possible, entrance into the foster care system, it is recommended:

1. Social Service Advisory Commission study the utilization of current in-home services to families in trouble and the possibility of increased usage of such services.

2. Increased use of Title IV B monies for preventive services rather than for maintenance services of a child in out-of-home care.

⁷Knitzer, op. cit., p. 25.

⁸Ibid., p. 25.

3. Use of subsidized long-term foster care and adoption on a wider basis.

4. Equal grant to relative homes.

Data Collection

The State of California's knowledge of children in out-of-home care is negligible in light of their input into a study conducted by the Children's Defense Fund in Washington, D. C. 1976, and considering the amount of statistical record-keeping workers have to do.

The Foster Care Registry data system has been described as promising, but in reality it was disbanded in September 1979. Administrative personnel were aware of only one comprehensive report coming out of the system. This report was not available locally and had to be requested with some difficulty from Sacramento.

To promote accountability of services, it is recommended that:

1. The State use a system of data collection designed to promote more effective service with reporting going to appropriate personnel who would benefit from this knowledge and who could institute proper policy changes. The data and reports should not be gathering dust in various storerooms.

2. Discontinue any collection of data that can't be adequately justified and merely consumes worker time.

Adoptions

It has been found that there occurs a "writing off of particular groups of children as inappropriate for adoption either by adoption or foster care workers."⁹

To promote increased adoption of minority, handicapped, and older children, it is recommended that:

1. Subsidized funds for adoption be increased.
2. Utilization of innovative programs such as the Family Builders agencies, which specialize in placing older and handicapped children. Family Builders work with licensed public and private adoption agencies on a referral basis to find adoptive homes for legally free children when no permanent home has been identified through the normal agency resources. The agencies seek out prospective adoptive parents rather than simply wait for them. They do this by means of public information, community education, and publicity about specific children.¹⁰
3. Advise foster parents of their right to petition the court for termination of parental and possible adoption of a child in long-term foster care.
4. Proper documentation of case services and progress so children can be freed for adoption when appropriate.

⁹Ibid., p. 31.

¹⁰Who Knows? Who Cares? Forgotten Children in Foster Care (N.Y.: Report of the National Commission on Children in Need of Parents, 1979), p. 44.

Case Review

The Children's Defense Fund in its study of judicial review noted that in California "annual reviews were unfocused and ineffective" and do not often assist the child in ensuring that his right to permanence was protected."¹¹

To ensure a timely decisive review of a child's progress, it is recommended that:

1. A review of cases be conducted by a group independent of those providing services similar to the Foster Care Review Board System in South Carolina.

There are about 31 boards in the State. "The functions of the review boards are to review, evaluate, and advise and refer to the court for judicial review those cases not moving toward permanence. The boards may not make case decisions, however, when the boards and agencies conflict, either may request a judicial review."¹²

In conclusion, a child is too precious to be left to one individual's efforts at decision-making. It needs to be a group concern, with the utilization of child development experts, psychiatrists, parents, and other interested individuals giving input into the system, and if need be, on specific cases.

¹¹Ibid., p. 25.

¹²Ibid., p. 46.

Workers must be reminded that, if at all possible, they need to speedily safeguard the stabilization of a child, be it by restoration, placement, or adoption.

The tragedies of Jonestown, multiple placements, and restorations to potentially dangerous homes need to be curtailed, and the best way to do this is by group input. Notably, a group that is not personally involved in a case.

Children are our future and justify community concern now.

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APPENDIX A

RESEARCH INSTRUMENT

Dear Worker:

The Department of Social Services has approved this special study on the factors and attitudes that may contribute to long term placement in foster care. You have been selected as part of the sample group to be evaluated as to your attitudes about these factors, but your participation in this project is entirely voluntary.

While the questionnaire is being given to the majority of workers with children in out-of-home care, the sample is small--approximately thirty workers. Due to this fact, full participation is important and is sought.

This questionnaire will be collected on _____, ten (10) days from this date, or it may be left with Bruce Enniss.

The questionnaire will be filled out anonymously, but is coded for accountability.

I appreciate your assisting me in completing my thesis requirements for the Masters Degree in Social Work. If you have any questions, please contact me at 293-3964 after 5:00 p.m.

Sincerely yours,

Marilyn McDonald
MSW Student
Graduate School of Social Work
San Jose State University

A.

1. How long have you worked in foster care?

- (a) 1 - 3 years 3
 (b) 4 - 6 years 7
 (c) 7 - 10 years 10
 (d) 10 or more years 4
- $N = 24$

2. For what period of time have you been in your present unit?

- (a) 1 - 3 years 4
 (b) 4 - 6 years 11
 (c) 6 - 10 years 8
 (d) 10 or more years 1
- $N = 24$

3. What has been your education?

- (a) High School Diploma
 (b) Bachelors Degree 1
 Specify Major _____
 (c) MSW Degree 22 * $N = 25$
 (d) MA 2 in what area. 1 worker had 2 MA's

4. What is your age?

- (a) 21 - 30 2
 (b) 31 - 40 14
 (c) 41 - 50 5
 (d) 51 - 60 3
 (e) 61 - 70 0
- $N = 24$

5. Did you have any in-service training concerning decision making in foster care while at this agency?

- (a) Yes 12
 (b) No 12
- $N = 24$

6. If not, do you feel it would be helpful?

- (a) Yes 11
 (b) No 3
- $N = 14$

B.

7. Which goal best characterizes this agency?

- (a) To increase the rate of return of children to their natural parents 2
 (b) To insure the healthy development of children whether it be by long term, short term, or adoptive care. 1
 (c) Both of equal importance to this agency 21

$N = 24$

8. Is this consistent with your own views of the goals of foster care?
 (a) Yes 21
 (b) No 2
 1 No Reply 1 N = 24
9. How did you arrive at this conclusion?
 (a) Agency training 6
 (b) Agency policy 7
 (c) Supervisory conference 6 *N = 27
 (d) Other 14 * 1 person checked all categories
10. What number of children in your caseload have been in foster care for two years or more?
 (a) 250 2 - 5 years
 (b) 85 6 - 9 years
 (c) 55 10 or more years
 N = 390
11. Of the children in care for two years or more, how many have legal guardians?
 (a) 54
12. How many do you estimate will be referred for adoption planning in the next twelve months?
 (a) 12
13. How many will be returned to their parents in the next twelve months?
 (a) 52
14. How many will be in long term foster care?
 (a) 175
15. How many will be referred for legal guardianship?
 (a) 23
16. How many children have no permanent plan formulated yet?
 (a) 64
17. How many cases in your caseload have you been the only worker?
 (a) 183 N = 316 (10-16)
18. Of the remainder, how many have had (give number):
 (a) 2 - 3 workers 197
 (b) 4 - 6 workers 105
 (c) 7 - 10 workers 9
 (d) more than 10 workers 0 N = 311

C.

19. Do you think Child Welfare Laws pertaining to foster care in this state are:
 (a) Adequate 14
 (b) Too lenient 7
 (c) Too harsh 1
 2 No response N = 24

20. Child Welfare Laws in this state are more protective of:
 (a) Child 4
 (b) Parent 14
 (c) Equally protective 6 N=24
21. Do you think the laws should limit time in placement?
 (a) Yes 8
 (b) No 15
 1 No response N=24
22. Are laws affecting termination of parental rights applied equally to voluntary and dependent placements?
 (a) Yes 5
 (b) No 15
 4 NR N=24
23. Do you think stronger child welfare laws are needed which preclude long term foster care?
 (a) Yes 6
 (b) No 17
 1 NR N=24
24. Do you think long term foster care happens because it is difficult to terminate parental rights?
 (a) Yes 17
 (b) No 6
 1 NR N=24
25. Do you think the difficulty in terminating parental rights lies not in the laws, but in the judicial interpretation of them?
 (a) Yes 15
 (b) No 6
 3 NR N=24
26. Are you familiar with SB 30, the pilot project in San Mateo County which uses worker/parent contracts and time limited placements in foster care?
 (a) Yes 5
 (b) No 19 N=24
27. Would the utilization of such a contract here be helpful in preventing long term placements?
 (a) Yes 5
 (b) No 6
 (c) Don't know 12
 1 NR N=24
28. Would it be easier to terminate parental rights if such a contract was used?
 (a) Yes 7
 (b) No 7
 NR = 10 N=24
29. Judges in our juvenile court system are more in favor of:
 (a) Parents rights 11
 (b) Childrens rights 3
 (c) Both equally 7
 3 NR N=24
30. Judges have too much discretionary power in adoptive or dependency hearings in this county?
 (a) Yes 13
 (b) No 9
 2 NR N=24

31. Do you feel contested adoption proceedings should be heard before a jury or panel?

- (a) Yes 11
 (b) No 11
 2 NR
 N = 24

32. If a jury was chosen, should it be composed of a selective group?

- (a) Yes 10
 (b) No 12
 2 NR
 N = 24

33. Do you think social workers should be considered expert witnesses before the court?

- (a) Yes 24
 (b) No
 N = 24

E.

34. Foster parents should have a right to petition for adoption after two years:

- (a) Yes 11
 (b) No 13
 N = 24

35. Are cases sometimes rejected by adoptions because of difficulty in placing a child, rather than any problem pressing for termination of parental rights?

- (a) Yes 13
 (b) No 7
 4 NR
 N = 24

36. Do you think subsidized long term foster care would fill this void? *

- (a) Yes 16
 (b) No 5
 3 NR
 N = 24

*This proposed care would be as legally binding as adoption. The child would retain his name and parental visits, if not detrimental, would be allowed. The foster family would continue to receive aid.

F.

37. What do you think is the ideal time for a child to be in foster care?

- (a) 1 - 2 years 22
 (b) 2 - 5 years 0
 (c) 5 - 18 years 1
 1 NR
 N = 24

38. Should parents rights be terminated if a child has been in care for two years or more?

- (a) Yes 6
 (b) No 14
 4 NR
 N = 24

39. The natural family should be preserved at all costs:

- (a) Yes 5
 (b) No 17
 2 NR
 N = 24

40. Would you feel comfortable in terminating parental rights after two years if the law stated it was to be done?
 (a) Yes 8
 (b) No 14
 2 NR N = 24
41. The emotional well being of a child is significant enough to be a justification for termination of parental rights:
 (a) Yes 19
 (b) No 5
 N = 24
42. Is part of long term foster care syndrome due to workers reluctance to confront parents about relinquishing their children?
 (a) Yes 6
 (b) No 15
 3 NR N = 24
43. Would you prefer a long term placement rather than legal adoption if the child has established a good relationship with his/her foster parents?
 (a) Yes 12
 (b) No 8
 4 NR N = 24
44. Do you feel it would be best to maintain the status quo of a child rather than a return home which may be damaging?
 (a) Yes 17
 (b) No 4
 3 NR N = 24

Optional:

Do you have any suggestions for preventing long term foster care, or making it a more stable situation if necessary? What do you think are the prime causes of long term foster care? Do you consider it a problem at all?

See Answers
 Page 78

APPENDIX B

BUREAU QUARTERLY REPORTS AS
SUBMITTED BY SUPERVISORS WITHIN THE UNIT

347 - SEPT. 30, 1978

QUARTERLY
CASELOAD
REPORT

Case Name

1
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30
31

Case Name	Homes			Total Number Of Children	Whereabouts of Children						Dependents		Remarks
	Par./Rel. Households	Number of Boarding Homes and Institutions			Own Home	Relative's Home	Mental Hygiene Homes	Boarding Homes	Institutions	Shelter	With Parents or Relatives	In Placement	
*21	16	18		3721	10	1	4	22	-	-	10	10	Plan
11/2	18			36	8	5	-	23	-	-	10	20	
*X	9	4		20	8	3	-	9	-	-	7	9	
neg. *8	19	9		348	13	8	1	12	-	-	21	10	
	60	49		127	39	17	5	66	-	-	48	49	
X	6	24		38	2	1	25	4	6	-	2	4	
1	7	15		35	7	4	13	8	3	-	5	10	
6	25			37	2	1	28	-	4	2	-	7	
	19	64		110	11	6	66	12	13	2	7	21	
	79	113		237	50	23	71	78	13	2	55	70	

CONFIDENTIAL

APPENDIX C

SAMPLE COPY OF

FOSTER CARE REGISTRY (SOC. 158)

SCHEDULE A

CASE # 17-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50 FBU 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50 WORKER # 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50

DATE COMPLETED (MO. & YR.)

0 / 9 / 7 / 4
13 MONTH / YEAR 16

SEX (CIRCLE ONE) (25)

1 Female

2 Male

DATE OF BIRTH (MO. & YR.)

0 / 4 / 6 / 1
17 MONTH / YEAR 20

ETHNIC BACKGROUND (CIRCLE ONE) (26)

(AS THIS CHILD WOULD BE SEEN BY "MAJORITY" COMMUNITY. IF MIXED, IDENTIFY PREDOMINANT "MINORITY" COMPONENT. USE '6' ONLY IF '2' THRU '5' DO NOT APPLY)

1 White

2 Black

3 Mexican

4 Amer. Indian

5 Asian

6 Other

U Unknown

DATE OF MOST RECENT SEPARATION FROM PARENTS

0 / 2 / 6 / 9
21 MONTH / YEAR 24

NUMBER OF PREVIOUS REMOVALS FROM NATURAL HOME (ESTIMATE IF NECESSARY) 5 (0-9)

(27)

ENTER THE IMPORTANT REASONS FOR THE CHILD'S CURRENT ADMISSION TO FOSTER CARE

- P Child's physical handicap or disability Primary
- R Child's mental retardation (ENTER MOST IMPORTANT REASON)
- B Child's emotional or behavior problem
- A Abuse of child Additional
- N Physical neglect of child (if applicable)
- E Emotional neglect of child
- C Parent-child conflict
- M Marital conflict
- S Antisocial behavior of parent(s)
- D Physical illness or disability of parent(s)
- I Emotional problem or mental illness of parent(s)
- W Employment of caretaking parent
- G Mental incapacity (permanent) of parent
- O Death of caretaking parent
- U Parent unwilling to take care of child (rejecting)
- F Financial need
- H Inadequate housing
- X Other (specify) _____

28

29

30

31

32

HOUSEHOLD FROM WHICH CHILD WAS LAST ADMITTED TO FOSTER CARE

ADULTS IN HOUSEHOLD AT TIME OF PLACEMENT (CHECK ALL THAT APPLY AND ENTER SUM OF THESE IN BOXES, ENTER UU IF UNKNOWN)

- Mother
- Father
- Stepmother (legal or non-legal)
- Stepfather " " " "
- Other adult relatives
- Non-related adults
- None

1 Sum

2

4

8

16

32

0

Sum 33

UU Unknown 56

OTHER CHILDREN IN HOUSEHOLD AT TIME OF PLACEMENT (CHECK ALL THAT APPLY AND ENTER SUM IN THE BOX, ENTER UU IF UNKNOWN)

- None
- Older siblings
- Younger siblings
- Other children

0 Sum

1

2

4

Sum 35

UU Unknown

SCHEDULE A

WHEREABOUTS OF MOTHER AND/OR FATHER AT TIME OF PLACEMENT (ANSWER FOR BOTH MOTHER AND FATHER) (CIRCLE ONE FOR EACH)

	<u>Mother</u> (36)	<u>Father</u> (37)
Deceased.....	1	1
Hospital or other institution.....	2	2
Living with another "marital" partner.....	3	3
Else..here (specify)_____	4	4
Unknown.....	U	U
N/A in home at time of placement.....	N	N

IF PARENTS ABSENT FROM HOUSEHOLD AT PLACEMENT, HOW LONG WAS THE ABSENCE ANTICIPATED TO LAST? (CIRCLE ONE FOR EACH)

	<u>Mother</u> (38)	<u>Father</u> (39)
3 months or less.....	0	0
More than 3 to 6 months.....	1	1
More than 1/2 year to 1 year.....	2	2
More than 1 year to 3 years.....	3	3
More than 3 years to 5 years.....	4	4
More than 5 years.....	5	5
Unlikely to return.....	6	6
Permanently absent.....	7	7
N/A in home.....	N	N
Unable to tell.....	U	U

NATURAL MOTHER AGE AT TIME OF PLACEMENT-ACTUAL NO.

38 39 UU Not known
 40 41 NN N/A

NATURAL FATHER AGE AT TIME OF PLACEMENT-ACTUAL NO.

38 40 UU Not known
 41 42 NN N/A

ESTIMATED INTELLECTUAL LEVEL-NATURAL MOTHER (CIRCLE ONE) (40)

1 Above average
2 Average
 3 Slow
 4 Retarded
 U Can't tell
 N Deceased

ESTIMATED INTELLECTUAL LEVEL-NATURAL FATHER (CIRCLE ONE) (41)

1 Above average
2 Average
 3 Slow
 4 Retarded
 U Can't tell
 N Deceased

EXPECTATION OF LENGTH OF STAY IN FOSTER CARE AT TIME OF ORIGINAL PLACEMENT (CIRCLE ONE FOR EACH INDIVIDUAL)

	<u>CHILD</u> (46)	<u>SW</u> (47)	<u>MOTHER</u> (48)	<u>FATHER</u> (49)
Expects to return home soon.....	1	1	1	1
Expects to return home but not in immediate future.....	2	2	2	2
Expects to remain in foster care indefinitely.....	3	3	3	3
Too young to have clear expectation.....	N	N	N	N
Can't tell.....	U	U	U	U

SCHEDULE B

Initial Schedule (Schedule A must also be completed)

Update Schedule (Schedule A omitted)

CASE # 0 2 2 0 0 7 FBU # 4 WORKER # 12

COURT STATUS (CIRCLE ONE) (50)

- 0 None
- 1 Dependent (600)
- 2 Ward (601)
- 3 Ward (602)
- 4 Dismissed dependent ward (601)
- 5 Dismissed ward (601)
- 6 Dismissed ward (602)
- 7 Guardianship

MENTAL ABILITY (CIRCLE ONE) (60)

- 0 Gifted
- 1 Above average
- 2 Average
- 3 Slow
- 4 Retarded
- U Can't tell
- N Infant

DATE CHILD PLACED IN PRESENT HOME (MONTH & YEAR)

0 9 / 6 9

NUMBER OF PRIOR PLACEMENTS (NUMBER) (ESTIMATE IF NECESSARY)

0 1
51 50

LONGEST PLACEMENT (MONTHS) (ESTIMATE IF NECESSARY) (27 IF 24 YEARS OF MORE)

6 0

HEALTH CONDITION (CIRCLE ONE) (55)

- 0 No health problems
- 1 Some correctable problems
- 2 Some non-correctable problems
- U Can't tell

NUMBER OF SIBLINGS (ENTER NUMBER) (0-7) (9 IF 9 OR MORE)

Home 61 Pl. Sep. 62 Pl. with child 63

BEHAVIOR (CIRCLE ONE) (64)

- 1 Very aggressive
- 2 Somewhat aggressive
- 3 Neutral or mixed
- 4 Somewhat Withdrawn
- 5 Very withdrawn
- U Can't tell
- N Newborn

CURRENT CASE STATUS (CIRCLE ONE) (65)

- 0 Shelter
- 1 FH E3 supervising
- 2 FH E4 supervising
- 4 Own home
- 5 Relative's home
- 6 Institution (including R&S MH)
- 8 MH home (other than R&S)
- 9 Group home

ENTER THE IMPORTANT REASONS FOR THE CHILD'S REMAINING IN FOSTER CARE

- P Child's physical handicap or disability
- R Child's mental retardation
- B Child's emotional or behavior problem
- A Abuse of child
- N Physical neglect of child
- E Emotional neglect of child
- C Parent-child conflict
- M Marital conflict
- S Antisocial behavior of parent(s)
- D Physical illness or disability of parent(s)
- I Emotional problem or mental illness of parent(s)
- W Employment of caretaking parent
- G Mental Incapacity (permanent) of parent
- O Death of caretaking parent
- U Parent unwilling to take care of child (rejecting)
- F Financial need
- H Inadequate housing
- X Other specify _____

Primary (ENTER MOST IMPORTANT REASON)

N

Additional (if applicable)

S

I

D

U

①

PROBLEMS IN CHILD'S CURRENT BEHAVIOR AND ADJUSTMENT

For each of the items below, circle a code on each line that best describes the child's functioning in that area

	No Problem	Moderate Problem	Severe Problem	Unknown	Not Applicable	
<u>FAMILY FUNCTIONING</u>						
Relations w/parents (such as hostile, fearful, rejects control, overly dependent)	0	1	2	U	N	71
Relations with siblings	0	1	2	U	N	72
<u>SCHOOL FUNCTIONING</u>						
Learning problems	0	1	2	U	N	73
Behavior problems (including truancy as well as classroom behavior)	0	1	2	U	N	74
<u>PHYSICAL FUNCTIONING</u>						
Physical disability	0	1	2	U	N	75
Frequent or chronic illness	0	1	2	U	N	76
<u>BEHAVIOR & EMOTIONAL ADJUSTMENTS</u>						
Withdrawn, eating difficulties, uncontrollable temper, stealing, fighting, sexual acting out	0	1	2	U	N	77
	0	1	2	U	N	79
<u>SOCIAL FUNCTIONING IN COMMUNITY</u>						
In relation to peers (such as lack of friends of own age group, associating w/antisocial peer group)	0	1	2	U	N	78
In relation to adults (such as provocative behavior w/neighbors, police, storekeepers)	0	1	2	U	N	80

IF ALL INFORMATION UNAVAILABLE (CHECK) (INSTRUCTION TO YE-PUNCH OPERATOR)
 (Code All "U")
 COLUMNS 81-87

IF MOTHER DECEASED (CHECK) (Code All "N")
 OTHERWISE CIRCLE ONE CODE FOR EACH CAPTION



WORK STATUS-NATURAL MOTHER (81)

- 0 Not employed nor seeking work
- 1 Unemployed, seeking work
- 2 Employed part time
- 3 Employed full time
- 4 Disabled (Mentally or physically)
- U Not known
- N Deceased

DEPENDENCY - NATURAL MOTHER (85)

- 1 Dependent needs much emotional support
- 2 Independent
- U Can't tell
- N Deceased

NATURAL MOTHER-SUPPORT (82)

- 1 Not on Welfare
- 2 Welfare grant
- 3 Welfare grant and other
- U Not known
- N Deceased

MENTAL HEALTH-NATURAL MOTHER (86)

- 1 No unusual problems - reasonably adequate personality
- 2 Psychotic
- 3 Neurotic
- 4 Character disorder
- 5 Some unusual mental health problems
- U Can't tell
- N Deceased

MARITAL STATE-NATURAL MOTHER (83)

- 1 Presently married
- 2 Separated
- 3 Divorced
- 4 Single
- 5 Widowed
- U Not known
- N Deceased

PHYSICAL ILLNESS OR DISABILITY THAT INTERFERES WITH FUNCTIONING-NATURAL MOTHER (87)

- 0 None
- 1 Yes, not hospitalized
- 2 Yes, hospitalized
- U Unknown
- N Deceased

LIVING SITUATION-NATURAL MOTHER (84)

- 1 Alone
- 2 Shares dwelling with roommate
- 3 With child's other parent
- 4 With parents
- 5 With other family
- 6 Institution
- 7 Spouse/not child's parent
- U Not known
- N Deceased

SCHEDULE B

IF ALL INFORMATION UNAVAILABLE (CHECK) (INSTRUCTION TO KEYPUNCH OPERATOR)
(Code All "U")
COLUMNS 88-98

IF MOTHER IS DECEASED (CHECK) (Code All "N")
OTHERWISE CIRCLE ONE CODE FOR EACH LINE

	No Problem	Moderate Problem	Severe Problem	Unknown	Not Applicable
NATURAL MOTHER-PHYSICAL CARE OF CHILD (e.g. attention to feeding, clothing, hygiene, medical needs, protection from physical danger)	0	1	2	U	N 88
NATURAL MOTHER-EMOTIONAL CARE OF CHILD (e.g. warmth, affec- tion, concern)	0	1	2	U	N 89
NATURAL MOTHER-SUPERVISION, GUIDANCE AND TRAINING OF CHILD (e.g. overly severe punishments, erratic handling, laxness in discipline, expectations too high, failure to set limits)	0	1	2	U	N 90
NATURAL MOTHER-EMPLOYMENT FUNCTIONING (job stability, work performance, relations with co-workers and superiors)	0	1	2	U	N 91
NATURAL MOTHER-MARITAL FUNC- TIONING (continuity, affection, supportiveness in current "marital" relationship)	0	1	2	U	N 92
NATURAL MOTHER-HOUSEHOLD MANAGEMENT AND HOUSEKEEPING PRACTICES (cleanliness, main- tenance, food provision, etc.)	0	1	2	U	N 93
NATURAL MOTHER-FINANCIAL MANAGEMENT (budgeting and use of money)	0	1	2	U	N 94
NATURAL MOTHER-DRUG ABUSE	0	1	2	U	N 95
NATURAL MOTHER-ALCOHOL ABUSE	0	1	2	U	N 96
NATURAL MOTHER-ANTISOCIAL BEHAVIOR (conflict with law, promiscuity, etc.)	0	1	2	U	N 97
NATURAL MOTHER-EMOTIONAL ADJUSTMENT (depressed, with- drawn, hostile, suspicious, etc.)	0	1	2	U	N 98

IF ALL INFORMATION UNAVAILABLE (CHECK) (INSTRUCTION TO KEYPUNCH OPERATOR)
 (Code all "U")
 COLUMNS 99-109

IF FATHER IS DECEASED (CHECK) (Code all "N")

OTHERWISE CIRCLE ONE CODE FOR EACH CATEGORY

WORK STATUS-NATURAL FATHER (99)

- 0 Not employed nor seeking work
- 1 Unemployed, seeking work
- 2 Employed part time
- 3 Employed full time
- 4 Disabled (mentally or physically)
- U Not known
- N Deceased

NATURAL FATHER-SUPPORT (100)

- 1 Not on Welfare
- 2 Welfare grant
- 3 Welfare grant and other
- U Not known
- N Deceased

MARITAL STATE-NATURAL FATHER (101)

- 1 Presently married
- 2 Separated
- 3 Divorced
- 4 Single
- 5 Widowed
- U Not known
- N Deceased

LIVING SITUATION-NATURAL FATHER (102)

- 1 Alone
- 2 Shares dwelling with roommate
- 3 With child's other parent
- 4 With parents
- 5 With other family
- 6 Institution
- 7 Spouse/not child's parent
- U Not known
- N Deceased

DEPENDENCY-NATURAL FATHER (103)

- 1 Dependent (NEEDS EMOTIONAL SUPPORT)
- 2 Independent
- U Can't Tell
- N Deceased

MENTAL HEALTH-NATURAL FATHER (104)

- 1 No unusual problems-reasonably adequate personality
- 2 Psychotic
- 3 Neurotic
- 4 Character disorder
- 5 Some unusual mental health problems
- U Can't tell
- N Deceased

PHYSICAL ILLNESS OR DISABILITY THAT INTERFERES WITH FUNCTIONING-NATURAL FATHER (105)

- 0 None
- 1 Yes, not hospitalized
- 2 Yes, hospitalized
- U Unknown
- N Deceased

SCHEDULE B

IF ALL INFORMATION UNAVAILABLE (CHECK) (INSTRUCTION TO KEYPUNCH OPERATOR)
 (Code all "U")
 COLUMNS 106-116

IF FATHER IS DECEASED (CHECK) (Code all "N")

OTHERWISE CIRCLE A CODE FOR EACH LINE

	No Problem	Moderate Problem	Severe Problem	Unknown	Not Applicable	
NATURAL FATHER-PHYSICAL CARE OF CHILD (e.g. attention to feeding, clothing, hygiene medical needs, protection from physical danger)	0	1	2	U	N	106
NATURAL FATHER-EMOTIONAL CARE OF CHILD (e.g. warmth, affection, concern)	0	1	2	U	N	107
NATURAL FATHER-SUPERVISION, GUIDANCE AND TRAINING OF CHILD (e.g. overly severe punishments, erratic handling, laxness in discipline, expectations too high, failure to set limits)	0	1	2	U	N	108
NATURAL FATHER-EMPLOYMENT FUNCTIONING (job stability, work performance, relations with co-workers and superiors)	0	1	2	U	N	109
NATURAL FATHER-MARITAL FUNCTIONING (continuity, affection, supportiveness in current "marital" relationship)	0	1	2	U	N	110
NATURAL FATHER-HOUSEHOLD MANAGEMENT AND HOUSEKEEPING PRACTICES (cleanliness, maintenance, food provision, etc.)	0	1	2	U	N	111
NATURAL FATHER-FINANCIAL MANAGEMENT (budgetting & use of money)	0	1	2	U	N	112
NATURAL FATHER-DRUG ABUSE	0	1	2	U	N	113
NATURAL FATHER-ALCOHOL ABUSE	0	1	2	U	N	114
NATURAL FATHER-ANTISOCIAL BEHAVIOR (conflict with law, promiscuity, etc.)	0	1	2	U	N	115
NATURAL FATHER-EMOTIONAL ADJUSTMENT (depressed, withdrawn, hostile, suspicious etc.)	0	1	2	U	N	116



CIRCLE ONE CODE FOR EACH INDIVIDUAL FOR EACH CAPTION.

CONTACT WITH CHILD OVER PAST FEW MONTHS	FATHER (117)	MOTHER (118)	OTHER SIG. REL. (119)
No contact	0	0	0
Some contact but less than once a month ...	1	1	1
About once a month	2	2	2
About once in two weeks	3	3	3
At least once a week	4	4	4
Can't tell	U	U	U
N/A-can't visit or no significant other relative	N	N	N

QUALITY OF CONTACT WITH	FATHER (120)	MOTHER (121)	OTHER SIG. REL. (122)
Token or insignificant	0	0	0
Negative, disruptive	1	1	1
Satisfactory, neutral	2	2	2
Satisfactory, positive, helpful	3	3	3
Can't tell	U	U	U
N/A-can't visit or no significant other relative	N	N	N

OTHER SIGNIFICANT PERSON WITH REGULAR CONTINUING CONTACT (CIRCLE ONE) (123)

- | | |
|----------------------|----------------------|
| 0 None | 4 Youth group leader |
| 1 Relative | 5 Neighbor |
| 2 Teacher | 6 Big brother |
| 3 Other professional | 7 Other |

(CIRCLE ONE CODE FOR EACH INDIVIDUAL FOR EACH CAPTION)

EXPECTATION OF LENGTH OF STAY IN FOSTER CARE	CHILD (124)	SW (125)	MOTHER (126)	FATHER (127)
Expects to return home soon	1	1	1	1
Expects to return home but not in immediate future	2	2	2	2
Expects to remain in foster care indefinitely	3	3	3	3
Too young to have clear expectation or N/A.	N	N	N	N

ATTITUDE TOWARD CHILD'S RETURN HOME	MOTHER (128)	MO. PTRN. (129)	FATHER (130)	FA. PTRN. (131)	CHILD (132)
Eager for child's return	0	0	0	0	0
Moderately interested in child's return	1	1	1	1	1
Mixed feelings	2	2	2	2	2
Moderately opposed to return home ...	3	3	3	3	3
Strongly opposed to return home	4	4	4	4	4
Unknown	U	U	U	U	U
Not applicable	N	N	N	N	N

IF EITHER PARENT IS OPPOSED TO RETURN HOME, WHAT IS HIS ATTITUDE TOWARD SURRENDER?	MOTHER (133)	FATHER (134)
Never discussed	0	0
Discussed, very resistant to surrender	1	1
Discussed, moderately resistant	2	2
Discussed, considering surrender	3	3
Not known whether discussed	U	U
Not applicable - not opposed to return	N	N

(CIRCLE ONE FOR EACH "PARENT")

CHILD'S ATTACHMENT TO HIS PARENTS
AND HIS FOSTER PARENTS (COTTAGE PARENTS, ETC.)

	MOTHER (135)	FATHER (136)	FOSTER MOTHER (137)	FOSTER FATHER (138)
No emotional ties	0	0	0	0
Very weak	1	1	1	1
Slightly weak	2	2	2	2
Moderately strong	3	3	3	3
Very strong emotional tie	4	4	4	4
Unknown	U	U	U	U
N/A	N	N	N	N

EVALUATE THE HOMES THIS CHILD MIGHT BE RETURNED TO FOR THE FOLLOWING FACTORS:

(THIS SECTION TO BE COMPLETED UNLESS THERE IS NO POSSIBILITY OF RETURN.)

(CIRCLE ONE CODE FOR EACH HOME IN EACH SECTION)

	MOTHER (139)	FATHER (140)	OTHER (if home considered for Plcmt.) (141)
ADEQUACY OF SPACE AND FACILITIES			
Adequate	0	0	0
Marginal	1	1	1
Inadequate	2	2	2
Unknown	U	U	U
Not considered	N	N	N
FREEDOM FROM HAZARDS TO HEALTH AND SAFETY			
	(142)	(143)	(144)
Adequate	0	0	0
Marginal	1	1	1
Inadequate	2	2	2
Unknown	U	U	U
Not considered	N	N	N
SUITABILITY OF NEIGHBORHOOD			
	(145)	(146)	(147)
Adequate	0	0	0
Marginal	1	1	1
Inadequate	2	2	2
Unknown	U	U	U
Not considered	N	N	N
AVAILABILITY OF RELATIVES FOR MORAL SUPPORT OR PRACTICAL HELP			
	(148)	(149)	(150)
No relatives available	0	0	0
Available but not helpful	1	1	1
Available but helpfulness not known ...	2	2	2
Available and helpful	3	3	3
Unknown	U	U	U
Not considered	N	N	N
AVAILABILITY OF FRIENDS, NEIGHBORS			
	(151)	(152)	(153)
Household socially isolated	0	0	0
Available but not helpful	1	1	1
Available but helpfulness not known ...	2	2	2
Available and helpful	3	3	3
Unknown	U	U	U
Not considered	N	N	N

APPENDIX D

COPY OF LETTER DISCONTINUING
FOSTER CARE REGISTRY

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



September 17, 1979

ALL-COUNTY LETTER NO. 79-61

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FOSTER CARE REGISTRY


REFERENCE:

Effective with receipt of this letter, the submission of Foster Care Registry Form (SOC 158) to the Department of Social Services has been suspended.

In lieu of submission of these forms, two Foster Care Characteristics Surveys will be conducted during the next 12 months. The purpose of the surveys will be to collect selected characteristics information on Foster Care recipients. This information will be used to analyze and estimate the effect of court cases, proposed legislation and regulations, to prepare the budget, to facilitate decision-making, and to determine what modifications to the Foster Care Registry will be necessary to make it a more responsive system.

If you have any questions, contact Les Newman or Martha Mills of the Statistical Services Bureau at (916) 323-2380.

Sincerely,


R. E. REICH
Deputy Director
Administration Division

cc: CWDA

APPENDIX E

THE FAMILY PROTECTION ACT
(GREGORIO BILL) AND BACKGROUND MATERIAL

Sacramento Address:
State Capitol
95814
(916) 445-0870

District Office Address:
1177 University Drive, Suite 2
Menlo Park, California 94025
(415) 323-8445

Senator
Arlen Gregorio
Tenth District
San Mateo and Santa Clara Counties

125
Committees
Education
Finance
Governmental Organization
Health and Welfare
Chairman

Administrative Assistant:
Peter Herman
Judy Samuelson

Field Representative
Charlotte Schultz

October, 1977

"THE FAMILY PROTECTION ACT"
SB 30 (Chapter 977, 1976)
SB 30 (Chapter 21, 1977)
FOSTER CARE

1. Effective date--January 1, 1977 (Chapter 21 was a "cleanup bill").
2. The law requires the State Department of Health to choose two counties (one under and one over 500,000 population) by April 1, 1977, from among those which apply for participation as demonstration counties. The Department selected San Bernardino and Shasta. San Bernardino withdrew its application and the Department selected San Mateo.
3. The law in those two counties relating to foster care changed October 14, 1977, and will remain in effect until June 30, 1981, during the four-year demonstration period. (See Summary of law attached.)
4. The state will provide the two demonstration counties with funding for services to help reunify families, staff to help implement the act, and provision of legal counsel to represent children.
5. The bill provides for an appropriation of \$2 million for the 18-month period from January 1, 1977, to June 30, 1978, and states that the program will be funded at the same \$2 million level during each of the four years of the pilot period from a combination of state and county matching funds. (In fact, the two counties will expend only a total of \$1,045,000 in state funds during the 1977-78 fiscal year.)
6. The goal of the law is to reduce the number of children in foster care by provision of services to natural parents to help reunify families and by requiring timely decision making about children who remain in foster care in order to provide them with alternative and more permanent placements. We expect the law will reduce the tax burden on the county and state as well as provide more emotionally stable placements for these children. X

CONTACT IN STATE DEPARTMENT OF HEALTH: Frances Young, Chief of the SB 30 Unit, State Department of Health, 400 Capitol Mall, Room 232, Sacramento CA 95814 (916) 322-3778.

San Mateo's test tube social service plan

By Harold V. Streeter

San Mateo County is the test tube for an experiment that may launch California into a multi-million dollar social service program to keep families together.

Starting July 1, a seven-pronged effort—employing social services never tried before for lack of money — will get under way to:

- Keep children from being sent to foster homes.
- Get children in foster homes back to their natural parents, or
- Get children unable to be returned to their own homes into adoptions cutting short long stays in foster homes.

The state, under provisions of the new Family Protection Act, will pay \$634,000 and the county \$70,000 for the first year of what is hoped to be a four-year program.

Cynthia McKenna, head of the 60-social worker team in charge of the experiment talks about seven ways to channel the money.

1. "There will be in-home services. We will train people to go into the home to stay with the child . . . so the child can stay in his own neighborhood . . . to show the mother how to be a good mother. This is something for which we developed a program two years ago but we couldn't get funding."

2. "Extended child care facilities for nights and weekends. One of the limitations now is that most of the day care centers are open from 8 a.m. to 5 p.m. on week days. Very often we find that a parent who has difficulty assuming full time responsibility for a child can be responsible if she doesn't have to do it 24 hours a day."

3. "A 24-hour social worker availability. That means if a call comes in at 10 at night—maybe the child has been injured, there is some question whether the parent has done it—there will be a social

worker who immediately can investigate and decide if it is safe to let the child go home. Right now, all we can do is have the police retain the child or let the child go home and face a risk."

4. "Fund a multi-disciplinary team of people of various skills. A pediatrician, a social worker, a public health nurse, a psychiatrist and a lawyer. This group will be on call in child abuse cases particularly. So it would not be just one person's decision on whether the child should go home or be kept in care."

5. "Respite care. Sometimes parents, particularly parents of handicapped children just need to be able to get away for a while. We

will have a place where they can take the kids or we will have somebody able to go into the home and say 'you can go out to the movies tonight' or 'you can take the weekend off and get away from the kids for a little while.'"

6. "We will contract with other agencies in the community to provide some of the services, such as the Family Service Agency with a special crisis housing project. Possibly the Visiting Nurses Association which has a homemaker program."

7. "We may use part of the money to pay non-professional people to do leg work, such as transporting children to the doctor or taking them for court appearances. Be on hand during child-parent

visitation if supervision is needed."

San Mateo County has 300 children in foster homes, another 150 in institutions like Hanna Boys Camp and Clear Water Ranch, 60 in special homes for the retarded and handicapped and 50 in emergency foster homes where they are taken on short notice.

"More children have been going into foster care and they have been staying for longer periods of time. The thrust of this (Family Protection) bill is to try to reverse that trend by providing services to keep them out of foster care altogether, return them to their own homes or to get a permanent (adoption) home much more quickly," McKenna said.

"This is a demonstration program and, if it works, it will be applied to the whole state," she said.

"It's going to take some time to get these things set up, perhaps the better part of a year. That's why we have not tried to say we will return a great number of children the first year."

Of the \$704,000 for that first year, only 20 per cent is allowed for child service employment. So McKenna only expects four additions to her staff. The 80 per cent must be invested in services.

San Mateo County is the state pilot for counties with over 500,000 population. Shasta County is the pilot for smaller counties.

1. Legislative History: Senator Gregorio introduced SB 1485 in January, 1974, at the request of the California Children's Lobby. The Legislature enacted the bill, which provided for a reform of the laws relating to foster care and a \$25 million appropriation for services to families, but former Governor Reagan vetoed the bill.

Gregorio reintroduced the measure in December, 1974, and the Legislature again enacted it in August, 1976. This time, the bill was scaled down from statewide application to a two-county pilot project to run four years at an annual \$2 million funding level. Governor Brown signed the measure while exercising a line-item veto pursuant to a compromise agreement with the author.

Support for SB 30 included the following groups and individuals:

Children's Lobby	Judge Richard Gadbois (Presiding
State Bar	Judge, Los Angeles Juven. Ct.)
California P.T.A.	Robert Mitchell (Chairman,
State Foster Parents Association	State Social Welfare Board)
Western Center on Law & Poverty	National Association of
County Welfare Directors Assn.	Social Workers
Youth Law Center	Social Service Employees
American Academy of Pediatrics	California Assn. of Children's
Los Angeles Unified School District	Residential Centers
California Psychiatric Society	Several major media
	(several editorials,
	attached)

2. The bill appropriates \$2 million to the State Department of Health for the 18-month period from January 1, 1977--June 30, 1978, as follows:

(a) \$175,000 for professional staff for the Department of Health to implement the program. (This amounts to approximately \$120,000 annually for staff expenses commencing in fiscal year 1978-79.)

(b) \$1,825,000 to the two demonstration counties for reimbursement of expenditures related to implementation of SB 30 including legal counsel, staff, and services to families. The compromise agreement between Senator Gregorio and Governor Brown included a provision to require a county match. Since the bill had already reached Governor Brown's desk prior to this agreement, Senator Gregorio agreed to introduce a "clean-up" bill* in December, when the new two-year legislative session begins. This bill provided for the following match (and other non-substantive amendments):

* SB 30(1977)

	Jan. 1, 1977- June 30, 1978	FY 1978-79	FY 1979-80	FY 1980-81
State funds for county program	\$1,825,000	\$1,600,000	\$1,333,000	\$1,333,000
County match Percentage	10%	20%	33 1/3%	33 1/3%
Amount	200,000 (approx.)	400,000	667,000	667,000
State funds for DOH staff	175,000	125,000	125,000	125,000
Total state funds*	2,000,000	1,725,000	1,458,000	1,458,000
* <u>Maximum</u> state funds available				

SUMMARY OF SB 30 (Chapter 977)

1. The law will apply in only two demonstration counties chosen by the State Department of Health from among those which apply.
2. The bill affects children (a) declared dependents of the juvenile court under Section 300*, Welfare & Institutions Code, or (b) voluntarily placed by their parents with county welfare departments. (approximately 55% are dependents and 45% voluntarily placed.)
3. The bill does not amend Section 300 (the jurisdictional standard for "dependent" children) or affect peace officers' authority to take a child into temporary custody under the standards of this section. However, in order to remove a child from his home, the court, at the detention or disposition hearings, must apply the following standard (the present standard for removal, "welfare of the minor", is vague and subjective):
 - A. Is there a substantial danger to the physical health of the child or is the child suffering severe emotional damage; and
 - B. Are there any reasonable means acceptable to the child's parents by which the child's physical or emotional health may be protected without removing the child from their physical custody.
4. Whether or not the minor is removed, the court may order that appropriate services be provided to the parents and child in order to try to reunite the family or make the family setting safe for the child. These services include family therapy, day care, crisis intervention care, homemaker services and all types of counseling.
5. The bill provides for 6-month reviews of all dependency cases for removals which occur after October 14, 1977 (compared to the present annual reviews). At each hearing, the court must review the progress made by the family to reunite, what services have been provided, the effectiveness of such services and the need for additional services.

After January 1, 1977, Section 300: Senator Roberti's SB 2172 (Chapter 1068) renumbered and separated all the sections of the Welfare & Institutions Code relating to dependent children (formerly 600) and wards of the court (Sections 601 and 602).

wards of ct.

6. If the child remains out of his home for 12 or 18 months (12 months for minors under 2 years of age or 14 and older; 18 months for all others), the court must investigate the opportunities of finding for the child adoptive parents, legal guardians or a stable long-term foster care placement. Adoption, the least expensive and most stable placement, is preferred (with certain exceptions). The appropriate county department has from 1½ to 6 months to make its investigation and to report its findings to the court. 1-1½
7. The bill provides standards for voluntary placements of children; such placements are not now regulated under state law. County welfare departments must first offer appropriate services to parents who desire to place their children that would permit the child to remain safely in his home. If the child is placed, the bill requires the department and parents to sign a voluntary placement agreement within three business days after the placement. The agreement sets forth the rights and duties of each of the parties. After six months of placement outside the home and provision of services to the family by the department, the department must either file a 300 petition to have the child declared a dependent or may hold an administrative review of the placement. 6mo - 300 . active
- After 12 months of placement, the department must file a 300 petition. After 18 months in placement, the court must investigate the opportunities for an alternative placement as described in (6) above for dependent children of the court.
8. The bill requires the Department of Health to do an annual survey on foster care in California and to report to the Legislature commencing * January 1978.
9. The bill does not amend Section 576.5 which permits county boards of supervisors to delegate responsibility for dependent children to county welfare departments (social workers) rather than probation departments (probation officers).
10. This Act shall be known and may be cited as "The Family Protection Act of 1976".



EDMUND G. BROWN JR.
GOVERNOR

State of California

GOVERNOR'S OFFICE
SACRAMENTO 95814

September 15, 1976

I am reducing the appropriation contained in Section 28 of Senate Bill No. 30 from \$3,000,000 to \$2,000,000 by reducing subparagraph (a) for professional staff in the Department of Health from \$200,000 to \$175,000, subparagraph (b) reimbursement of counties from \$2,800,000 to \$1,825,000, and by reducing the amount referred to in the last paragraph of subparagraph (b) from \$3,000,000 to \$2,000,000.

I am reducing the appropriation because child protection services and foster care programs are and should continue to be a county responsibility. The remaining funds will be sufficient for demonstrations in two counties, if legislation is enacted to provide financial participation by counties. I have been assured by Senator Gregorio that he will sponsor such legislation. Any decisions concerning expansion of this program with state financial support must wait review of the final results.

With this reduction, I approve Senate Bill No. 30.

A large, stylized handwritten signature of Edmund G. Brown Jr. in black ink, consisting of several loops and a long trailing line.

EDMUND G. BROWN JR.
Governor

The Sacramento Bee

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 McCLATCHY NEWSPAPERS

ELEANOR McCLATCHY, president
 C. K. McCLATCHY, editor

— Editorials —

Foster Care Reform

Legislation that would make a start toward overhauling California's cumbersome and expensive system for the foster care of children is before the Assembly, where it deserves and appears headed for overwhelming approval.

When the bill, SB 30 by Sen. Arlen Gregorio, D-San Mateo, reaches Gov. Brown's desk around the end of the month, we urge him to consider it as being the kind of reform that in time would result in less, not more, expectations of government in such social programs.

The governor has indicated he wants a fuller picture of the foster care system and its costs before launching any statewide revision. This bill would permit just that. It proposes a limited demonstration program in just a few counties. It would be a four-year trial costing \$3 million a year.

Out of it would come, Gregorio says, an entirely different approach to the way children are placed in foster care situations. The aim is to do as much as possible to eliminate the need for foster care. It would establish services to help families in trouble. It would put more

strict standards on procedures for foster placement. Eventually, it would reduce the number of children needing this costly care.

Gregorio estimates, and Legislative Analyst A. Alan Post agrees, that when the reforms prove themselves and are adopted statewide, the saving to county property taxpayers, who shoulder the major cost of foster care, would run to hundreds of millions of dollars.

This should be strong inducement to Gov. Brown to give the trial measure his approval. He has rightly held there is a limit to what government can be expected to provide in terms of social needs, and that limit is usually money.

One way or another, the foster care program is going to continue. It is one of those human needs that government cannot ignore. The question is whether it is going to be run as inefficiently and overexpensively as it has been, or will be put on a sounder footing for the children and families involved — and, ultimately, the taxpayers.

Los Angeles Times

HARRISON GRAY OTIS, 1881-1917
HARRY CHANDLER, 1917-1944
NORMAN CHANDLER, 1944-1960



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6—Part II

TUESDAY MORNING, MAY 28, 1974

* The Children Who Live in Limbo

There are more than 40,000 foster children in California. No one knows for sure exactly how many more. But a survey covering the 31,300 under the Aid to Families with Dependent Children program showed that the total has increased 120% in the past decade.

In the last half of the decade, however, completed adoptions have decreased 50%, despite the fact that requests for adoptions continue to run about 30,000 a year. Of the AFDC children, 58% had been placed in two or more foster homes, and 32.2% had been in three or more homes.

Something is obviously wrong with the system. Far too many children are shunted about and spend their critical growth years in limbo. The cost to the individual child—as well as to the state—is incalculable.

A report to the Joint Legislative Audit Committee suggests several reasons for the unsatisfactory situation. The state lacks sufficient staff for adequate monitoring of foster-care homes. There is insufficient supervision at the county level. Social workers' responsibilities vary from 25 to 68 cases. Foster-care rates set by counties range from \$98 to \$160 per month.

In an effort to reach these and other problems,

Sen. Arlen Gregorio (D-San Mateo) has introduced SB 1485. Known as the Family Protection Act, the measure was drafted at the request of the Children's Lobby, and is supported by various experts in the child-care field, including Judge William P. Hogoboom, presiding judge of the Los Angeles County, Juvenile Court.

Designed to insure continuity in a child's life by requiring timely decisions about the child's placement, SB 1485 would change existing court procedures, mandate a variety of family therapy and counseling services, and expedite adoption in cases where return to the family home is not found feasible. An appropriation of \$29 million would be made, but its formal allocation would be deferred until the 1975-76 fiscal year to permit time to gear up the various programs.

Gregorio estimates that increased adoptions could save the state \$29 million, and that about \$15 million might be forthcoming from the federal government due to changes in placement programs. But in the final analysis the benefits to the children involved must be the deciding factor.

The policy established by SB 1485 has already been approved by a bipartisan vote of the Senate Judiciary Committee. It should be approved by the Legislature and the governor.

* Note: Several of the following editorials are in support of SB 1485, an almost identical bill to SB 30, which Governor Reagan vetoed in 1974.

OPINIONS *Ours* ... yours ... others

Page 20 PALO ALTO TIMES, PALO ALTO, CALIF., MONDAY, AUGUST 23, 1976

EDITORIALS

Foster care proposal seems to make sense

Because the present foster care program in California is costly and fails to serve adequately the children its designed to help, Senator Arlen Gregorio (D-Menlo Park) has introduced SB 30 to improve the situation.

Nearly four years ago a study by the state auditor general in the Reagan administration, advised the legislature that the foster care system was bad for the child and the taxpayer who funds it.

Gregorio's proposal would establish a pilot project in two to four counties for a four-year period designed to provide services which would keep the child and its natural parents together. Based on current costs of providing care for foster children,

counties could trim huge sums off their property tax bills if the statewide proposal is adopted.

Bringing parents and children together could have a marked effect on the number of youngsters who would be required to be financed through the state agency.

Gregorio's bill has the backing of such statewide groups as the California PTA, State Bar Association, American Academy of Pediatrics and numerous school district boards.

The potential for bringing families together and reducing the load which taxpayers must support makes it appear that the legislature would do well to approve SB 30 and send it along to the governor.

Tribune's opinion page

6 Redwood City (Ca.) Tribune Monday, Aug 23, 1976

RESOURCE MATERIAL

(used as background information in SB 30, 1976)

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2. ADOPTIONS AND FOSTER CARE STUDY REPORT, State of California, Department of Health, November 1973, Request from Dept. of Health, Publications Unit, 744 P Street, Rm. 301, Sacramento (916 445-2372). ? charge
3. GOVERNMENT AS PARENT: ADMINISTERING FOSTER CARE IN CALIFORNIA, Jessica S. Pers, Institute of Governmental Studies, UC, Berkeley 1976, order from Institute of Governmental Studies, 109 Moses Hall, UC, Berkeley, Ca. 94720. ? charge
4. STATE INTERVENTION ON BEHALF OF "NEGLECTED" CHILDREN: A SEARCH FOR REALISTIC STANDARDS, Michael Wald, reprinted from Stanford Law Review, 1975, Volume 27, No. 4, April--1976, Volume 28, No. 4, April. ? charge
5. JOINT LEGISLATIVE AUDIT COMMITTEE, 925 L Street, Suite 750, Sacramento, California 95814 (916 445-2194)
Three reports ? charge
 - a. REPORT ON FOSTER CARE IN CA. (148.1) June 1973
 - b. REPORT ON THE STATE'S ROLE IN FOSTER CARE IN CA. (148.2) January 1974
 - c. AN EVALUATION OF ACCOUNTABILITY FOR FOSTER CARE AT THE STATE LEVEL (148.3) July, 1974
6. HARVARD EDUCATIONAL REVIEW, NUMBER FOUR, NOVEMBER 1973, A SPECIAL ISSUE - PART I THE RIGHTS OF CHILDREN
Foster Care-In Whose Best Interest? Robert H. Mnookin
? charge
7. REVIEW, SYNTHESIS AND RECOMMENDATIONS OF SEVEN FOSTER CARE STUDIES IN CALIFORNIA, 1974, by the Children's Research Institute of California, P.O. Box 448, Sacramento, California 95802 (916 443-3155) ? charge
8. CHILDREN WAITING, REPORT ON FOSTER CARE. September, 1972 done by the State Social Welfare Board now called Benefits and Services Advisory Board, Department of Benefit Payments, 744 P Street, MS (Mail Station) 17-15, Sacramento, Ca. 95814 (916 322-3206. ? charge
9. CHILDREN ENTERING FOSTER CARE, JANUARY 1 TO SEPTEMBER 30, 1975 STATEWIDE DATA from DATA MATTERS, CALIFORNIA CENTER FOR HEALTH STATISTICS, 744 P Street, Room 777, Sacramento, Ca. 95814 (916 445-1010) Report Register no: 242-0619-601 (3/30/76)
? charge

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Arlen Gregorio
 Tenth District
 San Mateo and Santa Clara Counties

135
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 Charlotte Schultz

EXPLANATION OF SB 30 CLEANUP BILL

SB 30 should be read along with Chapter 1068 (SB 2172, 1976) which separated the Welfare and Institutions Code (W&I) provisions relating to dependent children (formerly Section 600) and wards (Sections 601 and 602) and moved the dependency sections to Section 300, et seq.

SB 2172 was "doublejoined" with Chapter 977, chaptered subsequent to Chapter 977, and renumbered several sections of Chapter 977 (to move them to the "300 series").

The following table describes the changes made by the cleanup bill to Chapter 977 (along with the corresponding changes made by SB 2172):

<u>Chapter 977 (SB 30 of 1976)</u>	<u>Cleanup Bill - SB 30 (1977) or SB 2172 (Chapter 1068)</u>
Section 1	*No change--states intent of act
Section 2	Section 24--amends Section 2 to reflect Governor's line-item veto
Section 2.5	No change
Section 3	\ Section 232.1 of W&I Code effective only in demonstration counties. Incorporates changes made by Chapters 653 and 940 (1976) which amended Section 232
Section 576.8	**Section 272.5 of W&I Code
Section 600.3	**Section 302 of W&I Code
Section 600.5	**Section 303 of W&I Code

....Continued

* See last page
 ** " " " "

-2-

<u>Chapter 977 (SB 30 of 1976)</u>	<u>Cleanup Bill - SB 30 (1977) or SB 2172 (Chapter 1068)</u>
Section 5.5	Repealed; Applicable only to 601's and 602's in demonstration counties; Section 634 of W&I Code applies to these minors
Section 634.7	**Section 318.5 of W&I Code
Section 6	Repealed; Applicable only to 601's and 602's. Section 635 of W&I Code applies to these minors
Section 635.5	**Section 319.5 of W&I Code
Section 8	Repealed; Applicable only to 601's and 602's. Section 636 of W&I Code applicable to these minors
Section 9	Repealed; Applicable only to 601's and 602's. Section 652 of W&I Code applies to these minors.
Section 652.5	**Section 328.5 of W&I Code
Section 11	Repealed; Applicable only to 601's and 602's. Section 654 applies to these minors
Section 654.5	**Renumbered from Section 331.5 to Section 330.5 of the W&I Code
Section 13	Added as Section 332.5 of W&I Code
Section 13.5	Added as Section 351.5 of W&I Code
Section 13.6	Added as Section 353.5 of W&I Code
Section 14	Added as Section 360.5 of W&I Code
Section 15	Repealed; Applicable to 601's and 602's. Section 726 applies to these minors
Section 726.5	**Section 361.5 of W&I Code
Section 17	Added as Section 362.5
Section 18	Added as Section 366.3 of W&I Code

....Continued

-3-

<u>Chapter 977 (SB 30 of 1976)</u>	<u>Cleanup Bill - SB 30 (1977) or SB 2172 (Chapter 1068)</u>
Section 729.5	**366.5 of W&I Code
Section 21	Added as Section 16511.5 of W&I Code
Section 16512.5	No change
Chapter 5.3 (family reunifica- tion services) and Chapter 5.5 (voluntary placement), commenc- ing with Section 16525	Technical amendments to various sections
Section 25	No change
Section 28	Amended to reflect Governor's line-item veto
Section 29	Section 39 -- technical amendment
Section 30	No change
Sections 32-33	Technical amendments

* Where a Section of Chapter 977 has not been amended in SB 30 (1977),
the provisions of Chapter 977 apply.

** Because of "doublejoining" with SB 2172.

APPENDIX F

CHARACTERISTICS OF CHILDREN IN OUT-OF-HOME CARE
(IN CALIFORNIA) AS OF JANUARY 1978 AS SUBMITTED
TO THE NATIONAL COMMISSION ON CHILDREN
IN NEED OF PARENTS

TABLE 1: Characteristics of Children in Out-of-Home Care as of January, 1978

(1)	(2)	(3)		(4)			(5)	
Number of children in Out-of-Home Placement	Categories of Care included in (1)	Percent in Home Care	Percent in Out-of-Home Care Through Court Action	Average length of Time Spent in Institutions	Foster Families	Group Homes	Total	Average # Moves per Child
29,926	; ff,gh,mh, etc.	30.0	60.0	N/A	N/A	N/A	30 mo.	3.0

TABLE 2: Adoption Characteristics

(1)	(2)			(3)	(4)
Number of Children Available (Legally freed for Adoption)	Number of Children Placed for Adoption through Public Agencies In.....			Percent that Would be Freed for Adoption if Sufficient Casework and Legal Services were Available	Tracking Computerized System?
N/A ✓	77	76	75	25.0*	No ---
	N/A	1,794	1,998		

TABLE 3: Characteristics of First-line Workers

(1)		(2)		(3)		
Average Caseload		Attrition in 1977 (in percents)		Training (in days per worker)		
State Wide	Metro Areas	State Wide	Metro Areas	Prior to assignment	After Being Assigned	Total
N/A	55*	40.0*	40.0*	N/A	N/A	N/A

TABLE 4: Fiscal Characteristics of Services to Children

(1)				(2)				
Costs of Services to Children: Percent Funded by:				Amount (in thousands of dollars) Spent from public funds for....				
Federal	State	Local	Private	(a) foster care	(b) Child Protective	(c) adoption services	(d) Preventative services	Total
75		25		110,579.4	145.6	20,000.0	N/A	N/A

N/A
no answer

APPENDIX G
CORRESPONDENCE REGARDING PROJECT

April 5, 1978

Mr. Wesley Jones, Director
Dept. of Social Services
55 West Younger
San Jose, California

Dear Mr. Jones:

I will be doing a special study on what is available legally to a Child Welfare Worker in his attempts to provide some stability for a child destined for long-term placement, and what worker's attitude toward termination of parental rights is and how his attitude may be affected by various factors.

Presently I am a MSW student from the Graduate School of Social Work, interning in Children's Services, the Foster Care Unit.

I would appreciate approval of my study and questionnaire. I will make my study and results available to you and your staff.

Thank you.

Sincerely,

MARILENE MC DONNED
c/o Gertrude Davis, E461
Bureau 4 - 299-3071
55 West Younger
San Jose, California

Memorandum

142

TO	FROM	DATE
TO WHOM IT MAY CONCERN		
SUBJECT		
MASTER'S THESIS FOR MARILYN MC DONALD FOR SAN JOSE STATE SCHOOL OF SOCIAL WORK		5/3/80

Marilyn McDonald has been a second-year social casework graduate student under my supervision since September of 1977 to the present. Her student placement is with a foster care caseload working with parents, children, and foster parents. Throughout this period of time, Marilyn has been genuinely concerned about foster children who remain in care for an indefinite period of time, with natural parents who cling to their rights as parents but fail or neglect to develop their capacities for parenting to a point where the children can be returned to them.

Throughout this same period of time, Marilyn has maintained an interest in doing her Master's degree research thesis on the subject of children who remain in foster care for an indefinite period of time. She has explored various possible points of focus and is currently wishing to focus her study on the problems workers encounter within themselves, in the agency, in their caseload, and in the law in carrying out their responsibility of making foster care into a brief period of constructive care for a child which has permitted the child to move on to an adoptive placement, a return home with improved skills of adjustment to parents with improved capacities for parenting, or accepting a planned long-term foster care placement as the situation of choice for them, possibly stabilized by their foster parents becoming their guardians.

I recommend that the agency approve of Marilyn's field of study as a part of its responsibility to her as a graduate student in the agency and as a part of the agency's responsibility regarding a nationally recognized child welfare problem for children in foster care.

GERTRUDE DAVIS
Student Supervisor

GD:nt

MEMORANDUM

TO	FROM
Norma Burns, Public Information Officer	Norma Burns
SUBJECT	DATE
Master's Research - Marilyn McDonald	11/14/78


Attached is a research schedule developed by Ms. McDonald for her Masters Thesis from San Jose State University Graduate School of Social Work. This schedule was prepared under my guidance and is to be administered to social workers in foster care.

I believe that this research will provide significant information concerning our foster care program. Ms. McDonald is anxious to get started and will be contacting me in a day or so.

If you have any questions "mayes" I can help answer them.

Thank you.

memorandum

	TO	Barbara Holbrook	FROM	Noemi E. Boiza, Public Inf. Office
	SUBJECT	MSW Research Project	DATE	11/15/78

Attached is a research schedule which Marilyn McDonald wants to administer to foster care staff. Among some of my questions:

- How much staff time will be required? Does she expect to survey all staff? A sample?
- Can the demographic be obtained in another manner?
- Are foster care workers familiar with child welfare legislation?

We need to determine the value to D.S.S. of the data collected. I've enclosed a memo regarding research projects.

Can we discuss this?

cc: Bruce Ennis

September 20, 1979

Department of Health
Foster Care Registry
Center for Health Statistics
744 "P" Street, Room 777
Sacramento, California 95814

Dear Sir:

I would appreciate any statistics or descriptive analyses you may have formulated from past foster care registry forms (Sec 156), primarily those submitted by Santa Clara County.

It is my understanding that the last report on the program was issued in 1977 or the beginning of 1978--would you have a copy? Apparently, since that time there has been a problem programming the computer or in the computer software itself, could you clarify? Are you still having the registry forms sent to you or have you abandoned this project? Could you also inform me as to what the responsibility of the State is in foster care planning and programming at this point? What is the current number and background of people involved in the foster care program at the State level, are they primarily management people?

I am completing my MSW thesis on the factors leading to long term foster care and the current foster care situation in Santa Clara County. Any material you could send me regarding State planning for foster care, current statistics on foster care, and a response to the other stated questions would be most useful.

Thanks for your interest and time.

Sincerely yours,

Marilyn McDonald

925 N. Bayshore West #23
San Jose, California 95112
(408) 273-4070 (work)

APPENDIX H

AGENCY DEFINITION OF
LONG-TERM FOSTER CARE

30-315 LONG-TERM FOSTER CARE

30-315

- .1 The county shall provide planned long-term foster care for children who cannot return home and for whom adoption is not feasible and who have remained in the same foster home for two or more consecutive years. This type of care is especially appropriate for relinquished unadoptable children, abandoned older children and other children who will most likely reach majority while in foster care. The intent of long-term foster care is to make every effort to provide children with stability and a chance to develop normally in a permanent home setting.
?
- .2 Long-term foster care plans shall include:
 - .21 Recorded administrative approval of a long-term foster care plan for the child. Administrative approval shall be above the first-line supervisory level.
 - .22 Thorough evaluation of the foster home.
 - .23 Involvement of child and parents/guardian/or relatives as appropriate.
 - .24 Completion of a Long-Term Foster Care Plan (SOC 152).
 - .25 Greater control and responsibility vested in foster parents.
 - .26 Availability of casework services on request and annual assessment of foster home and child.
 - .27 Legal guardianship by the foster parents shall be considered when a long-term plan has been developed and approved by county administration. In the case of a relinquished child, a plan to seek guardianship shall require the concurrence of the administrator of the agency to whom the child has been relinquished.

APPENDIX I

AGENCY-FOSTER PARENTS AGREEMENT

Required Form
No Substitute Permitted

AGENCY—FOSTER PARENTS AGREEMENT
Child Placed by Agency in Foster Home

Name of Child _____ Parent's Name _____
 Birthdate of Child _____ Date Placed _____ Case Name _____ Case Number _____

Foster Parents Name & Address _____

Anticipated duration of placement is _____ months.

The agency will pay \$_____ per _____ for room and board, clothing, personal needs, recreation, transportation, education, incidentals and supervision. First payment to be within 45 days after placement with subsequent payments to be the 15th of the month following provision of care.

If additional amounts are to be paid, the reason, amount and conditions shall be set forth here: _____

Special problems: Yes _____ No _____ If yes, explain. _____

Agency Agrees To	Foster Parents Agree To
<ol style="list-style-type: none"> 1. Provide the foster parents with knowledge of the background and needs of the child necessary for effective care. This shall be made available to foster parents within 14 days from date of placement. 2. Develop a plan for the child and share pertinent aspects with the foster parents. 3. Not remove the child with less than 7 calendar days written notice unless: the child is physically or psychologically endangered; court orders removal; parents or guardians order removal (voluntary placement); signed waiver obtained from foster parents; removal is from an interim placement directly into an adoptive home. 4. Involve foster parents in future planning for the child. The placement shall be reviewed within 6 months. 5. Assist the child in his use of foster care. 6. Assist in the maintenance of the child's constructive relationships with parents and other family members and to involve parents in future planning for this child. 7. Provide procedure for grievances of foster parents. 8. Contact the child and foster parents once a month, or oftener — if case plan would indicate less frequent contacts, the foster parent will be informed. 9. Provide assistance with emergencies. Telephone number for after-hour or weekends is: _____ 10. Inform foster parents of any dangerous propensities of child. 11. In cooperation with foster parents arrange for visiting by parents or relatives on: _____ 12. Provide Medi-Cal card or other medical coverage at time of placement. Arrange for medical examination within 30 days unless child has had such within past 6 months and information is available. 13. Provide a clothing allowance as permitted to meet initial clothing needs. 	<ol style="list-style-type: none"> 1. Provide this child the nurture, care, clothing and training suited to his needs. 2. Develop an understanding of the responsibilities, objectives, and requirements of the Agency in regard to the care of this child. 3. Recognize the Agency's responsibility for planning for this child, as given by the court or the parent(s). 4. Increase their knowledge and ability to care for this child. 5. Encourage the child's relationships with his parents and relatives. 6. Cooperate in visiting arrangements between child and parents. 7. Not use corporal punishment, punishment in the presence of others, deprivation of meals, monetary allowances, visit from parent, home visits, threat of removal or any type of degrading or humiliating punishment, and to use constructive alternative methods of discipline. 8. Respect and keep confidential information given about the child and his family. 9. Immediately notify agency of significant changes in this child's health, behavior, or location. 10. Accept the child's special problems as given above in my provision of care. 11. Help with termination of placement including return to his own parents, relatives home, or adoptive placement. 12. Give the agency prior notice of at least 7 days if removal of child is requested unless it is agreed upon with the agency that less time is necessary. 13. Conform to the licensing/certification requirements.

I have read the foregoing and agree to conform to these requirements. The terms of this agreement shall remain in force until changed by mutual agreement of both parties or child is removed from home.

Signature of Child Placement Worker

Title _____ Name of Agency _____

Address _____

Phone Number _____ Dated _____

Signature of Foster Mother

Signature of Foster Father

Address _____

Phone Number _____ Dated _____

cc: To foster parents, child's(ren's) social service record, for grant.

APPENDIX J

LONG-TERM FOSTER CARE AGREEMENT

**COUNTY OF SANTA CLARA
DEPARTMENT OF SOCIAL SERVICES**

Long-Term Foster Care Agreement

For _____

The Santa Clara County Department of Social Services and undersigned parties mutually agree that it is planned that this child remain in this foster home on a long-term basis.

We, the undersigned Foster Parents, agree to provide foster home care for this child. We understand that as Foster Parents we have responsibility for his/her health and welfare and will assure that he/she is provided adequate medical, dental, and educational services which are approved by the Santa Clara County Department of Social Services. We understand that the natural parents and the Department of Social Services/Juvenile Court retain legal responsibility for this child and must be consulted on medical and legal matters.

The Santa Clara County Department of Social Services plans to leave this child in this home and agrees to continue financial responsibility for board and care payments, medical and dental expenses as long as eligibility continues and licensing/certification standards continue to be met. This agency will maintain contact, and a social worker will be available and help as needed.

The undersigned hereby signify their desire that this child remain in this home.

Foster Father *Date*

Child Placement Worker *Date*

Foster Mother *Date*

Child Placement Supervisor *Date*

Natural Father *Date*

Division Chief *Date*

Natural Mother *Date*

Child *Date*

File # _____

APPENDIX K

PLACEMENT AGREEMENT PARENT-AGENCY

APPENDIX L

STATUTES CONCERNING TERMINATION OF
PARENTAL RIGHTS

STATUTES CONCERNINGFREEDOM FROM PARENTAL CUSTODY

Section 232. Circumstances Warranting Action to Declare Minor Free From Parental Custody or Control.

"(a) An action may be brought for the purpose of having any person under the age of 18 years declared free from the custody and control of either or both of his parents when such person comes within any of the following descriptions:

(1) who has been left without provision for his identification by his parent or parents or by others or has been left by both of his parents or his sole parent in the care and custody of another for a period of six months or by one parent in the care and custody of the other parent for a period of one year without any provision for his support, or without communication from such parent or parents, with the intent on the part of such parent or parents to abandon such person. Such failure to provide identification, failure to provide, or failure to communicate shall be presumptive evidence of the intent to abandon. Such person shall be deemed and called a person abandoned by the parent or parents abandoning him. If in the opinion of the court the evidence indicates that such parent or parents have made only token efforts to support or communicate with the child, the court may declare the child abandoned by such parent or parents. In those cases in which the child has been left without provision for his identification and the whereabouts of the parents are unknown, a petition may be filed after the 120th day following the discovery of the child and citation by publication may be commenced. The petition may not be heard until after the 180th day following the discovery of the child.

The fact that a child is in a foster care home, licensed under subdivision (a) of Section 16000 of the Welfare and Institutions Code, shall not prevent a licensed adoption agency which is planning adoption placement for the child, from instituting, under this subdivision, an action to declare such child free from the custody and

control of his parents.. When the requesting agency is a licensed county adoption agency, the county counsel and if there is no county counsel, the district attorney shall institute such action.

(2) Who has been cruelly treated or neglected by either or both of his parents, if such person has been a dependent child of the juvenile court, and such parent or parents deprived of his custody for the period of one year prior to the filing of a petition praying that he be declared free from the custody and control of such cruel or neglectful parent or parents.

(3) Whose parent or parents suffer a disability because of the habitual use of alcohol, or any of the controlled substances specified in Schedules I to V, inclusive, of Division 10 (commencing with Section 11000) of the Health and Safety Code, except when such controlled substances are used as part of a medically prescribed plan, or are morally depraved, if such person has been a dependent child of the juvenile court, and the parent or parents deprived of his custody because of such disability, or moral depravity, for the period of one year continuously immediately prior to the filing of the petition praying that he be declared free from the custody and control of such parent or parents. As used in this subdivision, "disability" means any physical or mental incapacity which renders the parent or parents unable to adequately care for and control the child.

(4) Whose parent or parents are convicted of a felony, if the felony of which such parent or parents were convicted is of such nature as to prove the unfitness of such parent or parents to have the future custody and control of the child, or if any term of sentence of such parent or parents is of such length that the child will be deprived of a normal home for a period of years.

(5) Whose parent or parents have been declared by a court of competent jurisdiction wherever situated to be mentally deficient or mentally ill, if, in the state or country in which the parent or parents are hospitalized or resident, the State Director of Health, or his equivalent, if any, and the superintendent of the hospital

of which, if any, such parent or parents are inmates or patients certify that such parent or parents so declared to be mentally deficient or mentally ill will not be capable of supporting or controlling the child in a proper manner.

(6) Whose parent or parents are, and will remain incapable of supporting or controlling the child in a proper manner because of mental deficiency or mental illness, if there is testimony to this effect from two physicians and surgeons each of which must have been certified either by the American Board of Psychiatry and Neurology or under Section 6750 of the Welfare and Institutions Code. If, however, the parent or parents reside in another state or in a foreign country, the testimony herein may be supplied by two physicians and surgeons who are residents of such state or foreign country, if such physicians and surgeons have been certified by a medical organization or society of that state or foreign country to practice psychiatric or neurological medicine and if the court determines that the certification requirements of such organization or society are comparable to those of the American Board of Psychiatry and Neurology.

The parent or parents shall be cited to be present at the hearing, and if he or they have no attorney, the court shall appoint an attorney or attorneys to represent the parent or parents and fix the compensation to be paid by the county for such services, if he determines the parent or parents are not financially able to employ counsel.

(7) Who has been cared for in one or more foster homes under the supervision of the juvenile court, the county welfare department or other public or private licensed child-placing agency for two or more consecutive years, providing that the court finds beyond reasonable doubt that return of the child to his parent or parents would be detrimental to the child and that the parent or parents have failed during such period, and are likely to fail in the future, to

(i) Provide a home for said child;

(ii) Provide care and control for the child;
and

(iii) Maintain an adequate parental relationship with child.

Physical custody of the child by the parent or parents for insubstantial period of time during the required two-year period will not serve to interrupt the running of such period.

(b) A licensed adoption agency may institute under this section, an action to declare a child, as described in this section, free from the custody and control of his parents. When the requesting agency is a licensed county adoption agency, the county counsel, or if there is no county counsel, the district attorney shall in a proper case institute such action.

Section 232.5. Liberal Construction of Chapter.

The provisions of this chapter shall be liberally construed to serve and protect the interests and welfare of the child.

Section 232.9. Action by State or County Agency.

The State Department of Social Welfare, a county welfare department, a county adoption department, or a county probation department which is planning adoptive placement of a child with a licensed adoption agency, or the State Department of Social Welfare acting as an adoption agency in counties which are not served by a county adoption agency, may initiate an action under Section 232 to declare a child free from the custody and control of his parents. The fact that a child is in a foster care home licensed under subdivision (a) of Section 16000 of the Welfare and Institutions Code shall not prevent the institution of such an action by any such agency or by a licensed adoption agency pursuant to Section 232.

The county counsel or, if there is no county counsel, the district attorney of the county specified in Section 233 shall, in a proper case, institute the action upon the request of any of the state or county agencies mentioned herein.

If, at the time of the filing of a verified petition by any department or agency specified in this

section, the child is in the custody of the petitioner, such petitioner may continue to have custody of the child pending the hearing on the petition unless the court, in its discretion, makes such other orders regarding custody pending the hearing which it finds will best serve and protect the interests and welfare of the child.

Section 233. Petition by Interested Party -
Report to Court.

Any interested person may petition the superior court of the county in which a minor person described in Section 232 resides or in which such minor person is found or in which any of the acts constituting abandonment, neglect, cruelty or habitual intemperance occurred, for an order or judgment declaring such minor person free from the custody and control of either or both of his parents. There shall be no filing fee charged for any action instituted in accordance with this section. Upon the filing of such petition, the clerk of the court shall, in accordance with the direction of the court, immediately notify the juvenile probation officer, or the county department designated by the board of supervisors to administer the public social services program, who shall immediately investigate the circumstances of said minor person and the circumstances which are alleged to bring said minor person within any of the provisions of Section 232. The juvenile probation officer or the county department shall render to the court a written report of the investigation with a recommendation to the court of the proper disposition to be made in the action in the best interests of said minor person. The court shall receive such report in evidence and shall read and consider the contents thereof in rendering its judgment.

Section 233.5. Confidential Nature of Petition and Reports.

A petition filed in any superior court proceeding under this chapter and any reports of the probation officer or county department designated by the board of supervisors

to administer the public social services program filed in any such case may be inspected only by court personnel, the minor who is the subject of the proceeding, his parents or guardian, and the attorneys for such parties, and such other persons as may be designated by the judge of the superior court.

Section 233.6. Disclosure of Information to Welfare Agencies.

Notwithstanding any other provision of law, the superior court and the probation officer may furnish information, pertaining to a petition under this chapter, to the State Department of Social Welfare, to any county welfare department, to any public welfare agency, or to any private welfare agency licensed by the State Department of Social Welfare, whenever it is believed that the welfare of the child will be promoted thereby.

Section 234. Petition Set for Hearing - Issuance of Citation.

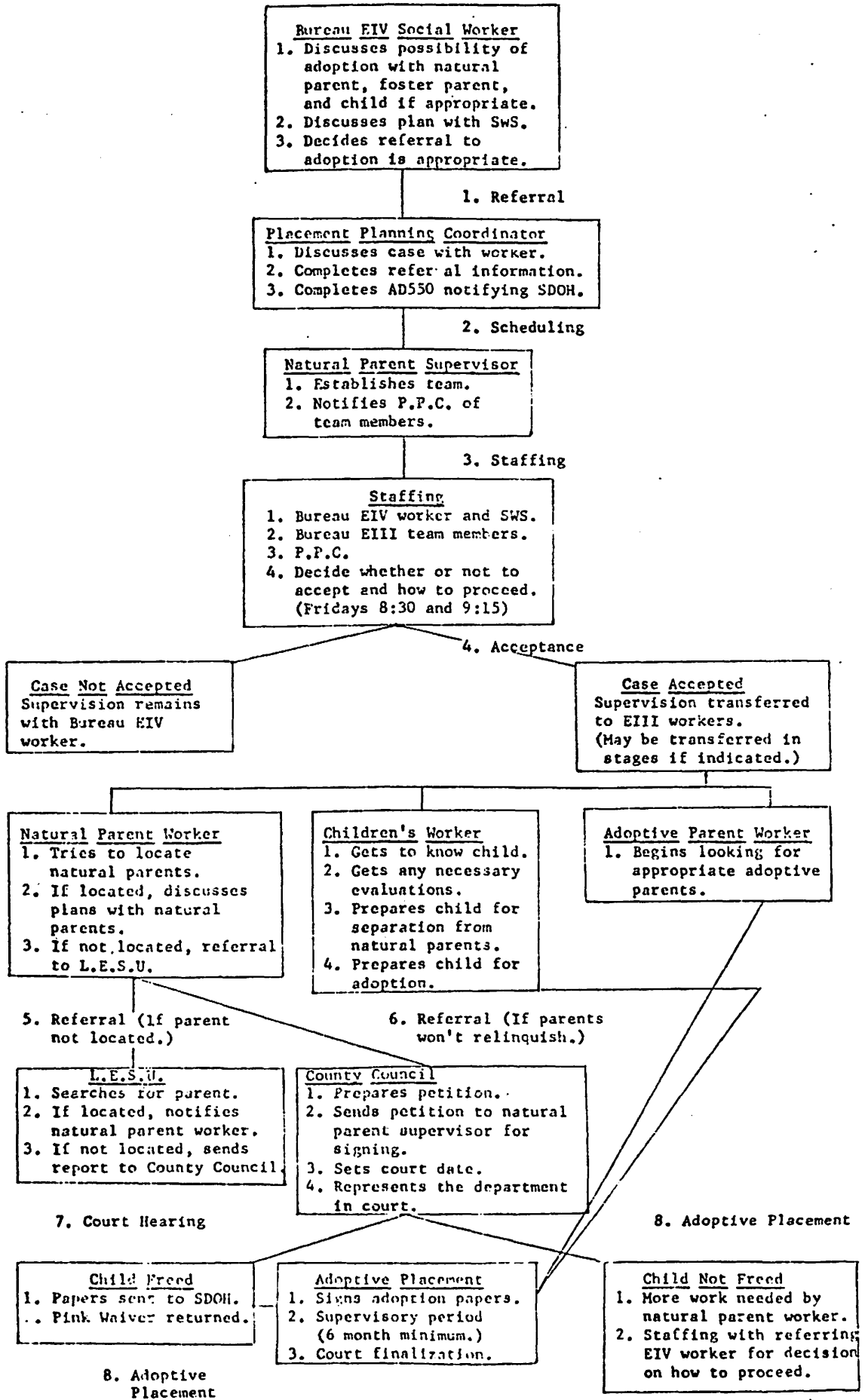
Upon the filing of such petition, a citation shall issue requiring any person having the custody or control of such minor person or the person with whom such minor person is, to appear with such minor person at a time and place stated in the citation, except, if the minor is under the age of 12, upon order of the court after necessity being shown. Service of such citation shall be made at least 10 days before the time stated therein for such appearance.

Section 235. Notice to Parents or Other Relatives.

(a) The father or mother of such minor person, if his or her place of residence is known to the petitioner, or, if the place of residence of such father or mother is not known to the petitioner, then the grandparents and adult brothers, sisters, uncles, aunts, and first cousins of such minor person, if there are any and if their residences and relationships to such person are known to the petitioner, shall be notified of the proceedings by service of a citation advising such person or persons that

APPENDIX M

FLOW CHART OF 232 PROCESS
(TERMINATION OF PARENTAL RIGHTS)



APPENDIX N

UNIFORM PARENTAGE ACT

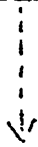
Uniform Parentage Act

RELINQUISHMENT PROGRAM

CHART 1

PRESUMED FATHER(S) ONLY
NO ALLEGED FATHER(S)

1. Presumed Father(s) Signs Relinquishment, or
2. Abandonment Action Required (*only 552 sub-section*)



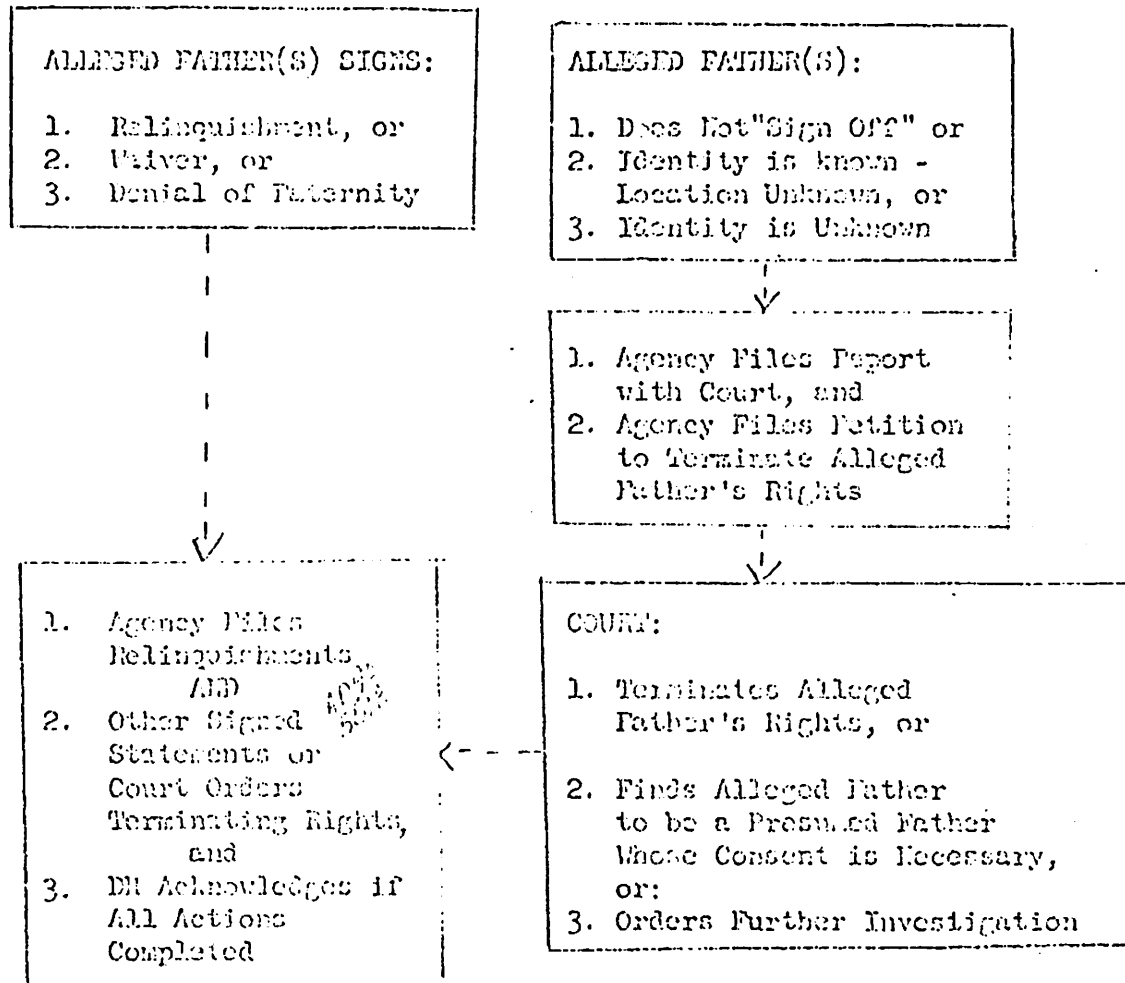
1. Agency Files Relinquishment(s), and
2. Copy of Court Order(s) on Abandonment Action(s), and
3. DH Acknowledges if All Actions Completed

RELINQUISHMENT PROGRAM

CHART 2

ALLEGED FATHER(S) ONLY

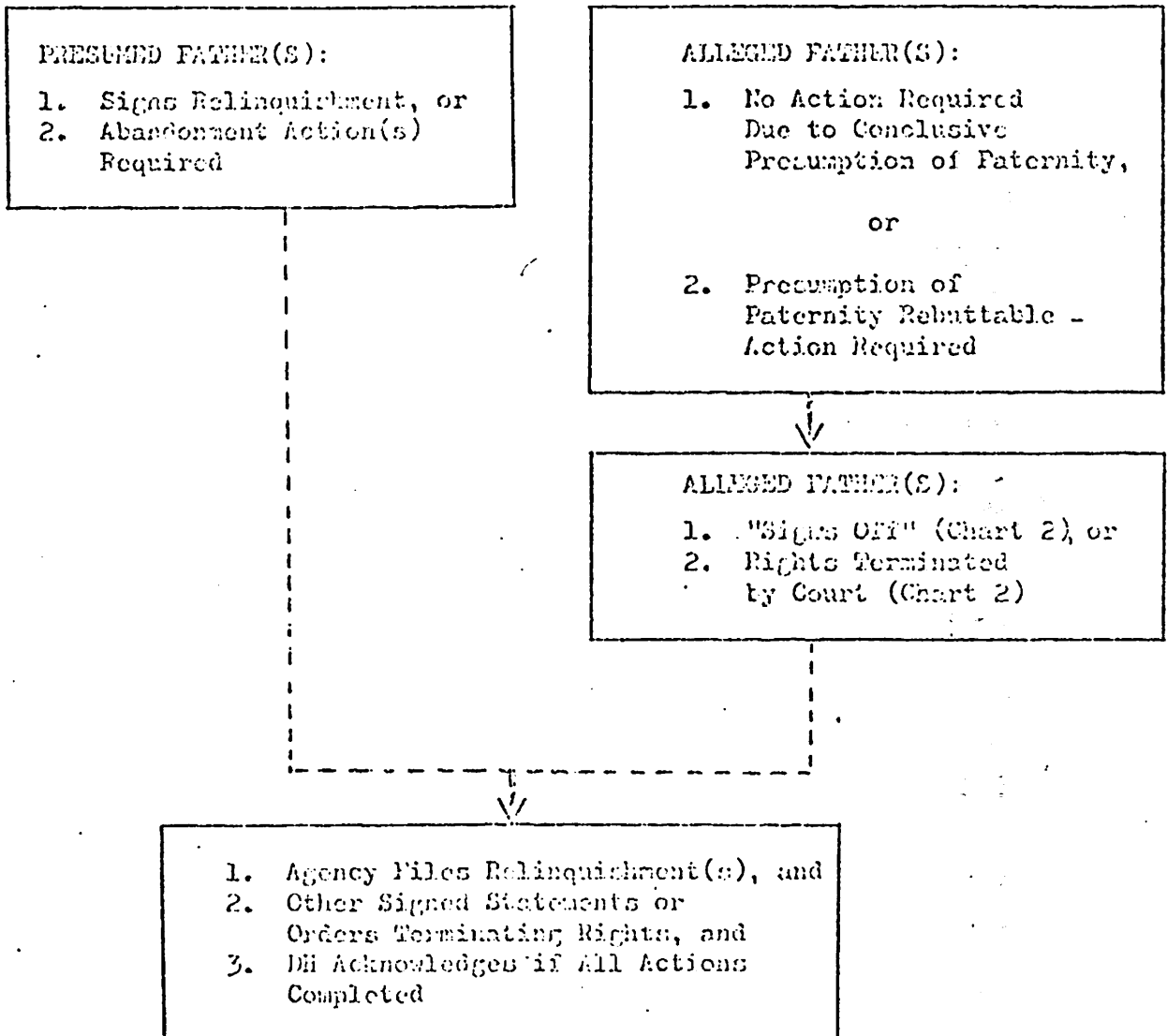
NO PRESUMED FATHER



RELINQUISHMENT PROGRAM

CHART 3

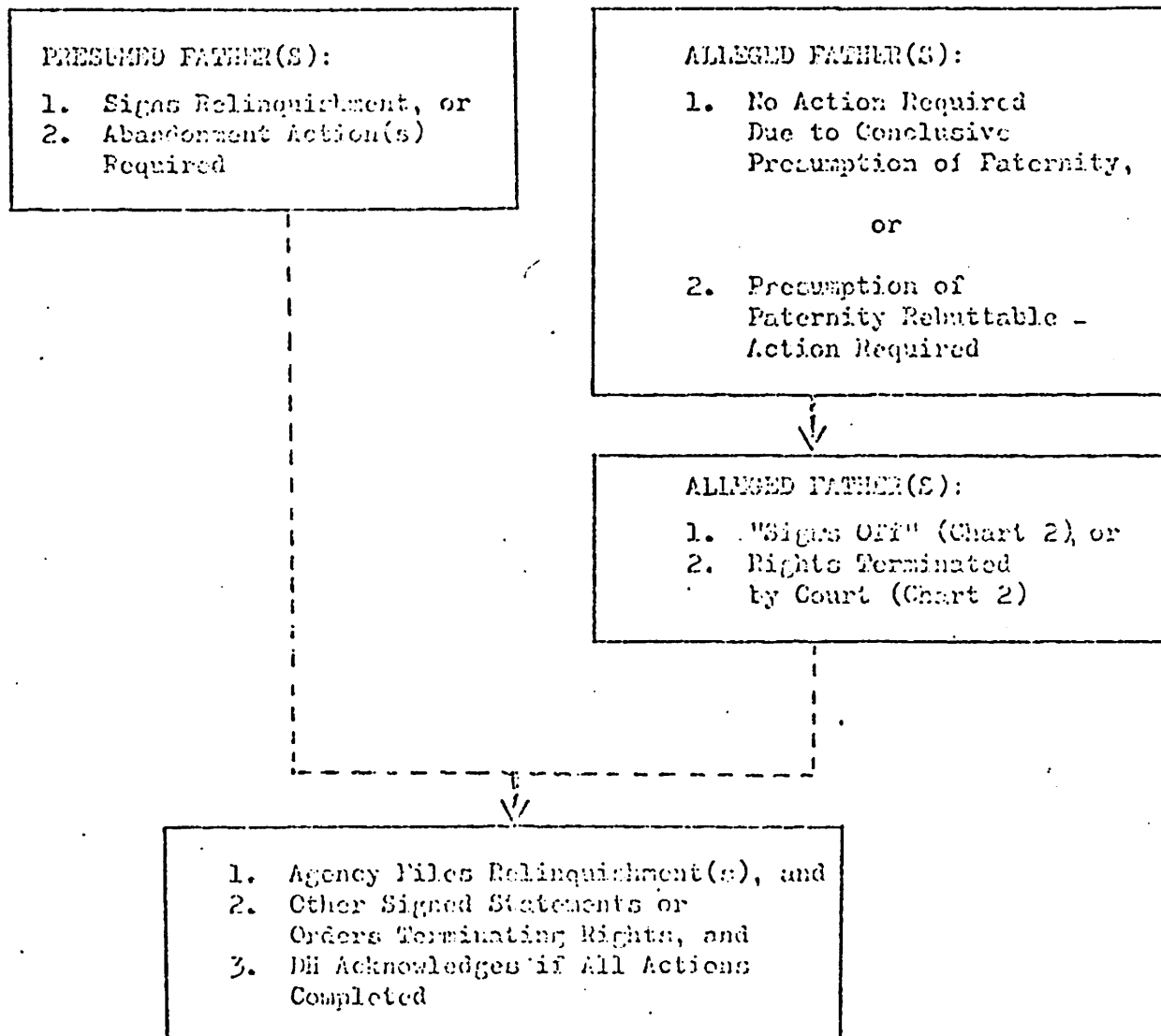
PRESUMED & ALLEGED FATHER(S)



RELINQUISHMENT PROGRAM

CHART 3

PRESUMED & ALLEGED FATHER(S)



APPENDIX 0

CHART OF THE NUMBER OF PLACEMENTS DURING A
12 MONTH SPAN (OCT. 1, 1975-SEPT. 30, 1976)

TABLE 11
NUMBER OF CHILDREN ENTERING FOSTER CARE
PLACEMENTS DURING LAST 12 MONTHS BY SERVICE PROVIDER

October 1, 1975 - September 30, 1976

NUMBER OF PLACEMENTS DURING LAST 12 MONTHS	TOTAL	TYPE OF SERVICE PROVIDER				
		Welfare	Adoptions	Probation	All Other	Unspe- cified
TOTAL	16,599	11,353	1,109	3,628	297	212
1 Placement	10,622	7,666	739	1,990	136	91
2 Placements	2,470	1,827	81	532	9	21
3 Placements	612	406	12	191	-	3
4 Placements	205	125	10	68	-	2
5 Placements	67	48	-	18	-	1
6 Placements	27	9	-	16	-	2
7 Placements	14	8	-	5	-	1
8 Placements	5	2	-	3	-	-
9 Placements	4	4	-	-	-	-
10 Placements	5	5	-	-	-	-
More Than 10 Placements	9	3	-	5	1	-
Unspecified	2,559	1,250	267	800	151	91

Source: Foster Care Reporting System, based on information submitted by county welfare departments on the Foster Care Registry, Form SOC 158 (5/75).