Statement for the Record

By

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Hearing on Increasing Adoptions from Foster Care

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Congressman Reichert, Members of the Committee. I am pleased to submit this testimony to the Subcommittee on Human Resources of the Committee on Ways and Means. I applaud your interest in exploring ways of increasing the number of adoptions from foster care, including through the Adoption Incentives program.

Listening to Parents was incorporated in October 2009 with a mission to "to increase the number of adoptions of children in foster care through changes in state and federal laws, policies and practices that eliminate unnecessary barriers to adoption."

We believe, and have documented, that there are far more families actively trying to adopt children from foster care than there are children in need of families. Children wait because of systemic barriers to adoption.

Contrary to our common understanding, there are far, far more Americans wanting to adopt children than there are children available. In fact, prospective adoptive parents outnumber waiting children by a ratio of more than 5 to 1.

In a *Washington Post* editorial on November 5, 2008[1], I drew on the 2002 National Survey of Family Growth,[2] to compare prospective parents seeking to adopt a child with children available in foster care. At that time, there were 600,000 American women actively trying to adopt a child. The survey asked women about the characteristics they would prefer or accept in a child they adopted. Based on the results:

- 521,400 would adopt an African American child. At the time there were about 41,600 African American children in foster care waiting to be adopted. This implies there were as many as 12.5 prospective parents for each waiting African American child.

- 351,600 would adopt children ages 6 to 12. This implies that there were 7.6 prospective parents for each waiting child in this age group.

- 185,400 would adopt a child age 13 or older. This implies that there were 6 prospective parents for each waiting adolescent.

- 181,800 would adopt a child with a severe disability, and 447,000 would adopt two or more siblings at once.

There are many reasons why, despite there being more families wanting to adopt than

[1] http://articles.washingtonpost.com/2008-11-08/opinions/36841172_1_international-adoptions-adoptive-families-prospective-parents

[2] The National Survey of Family Growth (NSFG) is a national sample of 7,643 men and women 15 to 44 that gathers information on family life. The data used here are from Cycle 6 of the survey, which was conducted from January 2002 to March 2003. Centers for Disease Control, "Adoption Experiences of Women and Men and Demand for Children to Adopt by Women 18–44 Years of Age in the United States, 2002 (http://www.cdc.gov/nchs/data/series/sr_23/sr23_027.pdf).

children in need for families, so many children remain unadopted. According to a 2005 Harvard University study, only one in 28 people who initially contacted a child welfare agency actually adopted a child.[3] Many cited systemic barriers such as bureaucracy, unresponsive child welfare agencies, and lack of incentives in the system to create adoptions.

In March of 2011, Listening to Parents convened an Executive Session of eighteen experts in adoption and family policy at Harvard's John F. Kennedy School of Government to study some of the barriers that prevent willing parents from adopting children desperately in need of permanent families. Participants included academics, advocates, government officials, foundation leaders, former frontline caseworkers, and adoptive parents. Some of those experts will testify before this committee. In June, 2012, we released a white paper, titled "Eliminating Barriers to the Adoption of Children in Foster Care"[4]. The paper identifies barriers to adoption and recommends some solutions.

Barriers to Adoption

Barriers to adoption from foster care identified by participants in the Executive Session include:

- Financial *disincentives* for creating interstate adoptions;
- Lack of standardized information about families seeking to adopt and about children waiting to be adopted;
- Insufficient post-adoption support compared to support for youth aging out; and
- Absence of a robust model for creating adoptions, including effective recruitment of adoptive families; appropriate caseloads, training, and supervision for workers; and significant youth involvement.

The Problem of Interstate Adoptions

One of the critical barriers identified by the group is the great difficulty of adopting children from foster care across state lines. The adoption of children from foster care in one state to an adoptive family in another is extremely rare in the United States. As I pointed out in a Washington Post editorial[5], according to the Department of Health and Human Services, in 2010, Americans adopted just 527 children from foster care across state lines.[6] To lend perspective, the national weather service estimates that 1,000 Americans are struck by lightning each year. [7]

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[3] Julie Boatright Wilson, Rob Geen, and Jeff Katz., "Listening to Parents: Overcoming Barriers to the Adoption of Children from Foster Care" (http://www.hks.harvard.edu/ocpa/pdf/Listening%20to%20Parents.pdf).

[4] http://www.listeningtoparents.org/wp-content/uploads/2012/04/No-Adoption-Barriers-White-Paper-4-12.pdf

[5] http://articles.washingtonpost.com/2012-06-01/opinions/35462622_1_adoptive-families-children-from-other-states-child-abuse

[6] Calculations of Mary Eschelbach Hansen using the Adoption Files of the Adoption and Foster Care Reporting System, which were made available by the National Data Archive on Child Abuse and Neglect, Cornell University, Ithaca, NY, and have been used with permission.

[7] http://www.lightningsafety.noaa.gov/ams_lightning_rec.htm

The problem stems from the fact that the United States does not have a national adoption system. Instead, there is a different system in each state, the District of Columbia, and Puerto Rico. Moreover, some state child welfare systems are administered at the county level. Each jurisdiction has its own criteria for adoption eligibility and process for recruitment, approval, and training of adoptive families. Unfortunately, through the law of unintended consequences, our current system (including the adoption incentives program) has created profound disincentives for states to allow their families to adopt children from other states.

If a Maryland family adopts a Virginia child, Maryland has essentially wasted thousands of dollars to recruit and prepare a family, with no benefit to any Maryland child. In return, Maryland will receive a child who may well have expensive medical and educational needs. To add insult to injury, under the federal Adoption Incentives program, Virginia will likely receive a bonus of up to $8,000 for placing one of their children in an adoptive family. Maryland will get nothing. Put it all together and each interstate adoption has a "winner" (the state that sends the child) and a "loser" (the state that receives the child).

So each state hoards its own families, greatly limiting matches for children and families across jurisdictions. It is common practice for states to prohibit their families from adopting a child from another state until they have waited at least one year. Ironically, this is particularly true when a family is interested in adopting the very hardest to place children. If an Indiana family is interested in adopting a large sibling group, for instance, the temptation is strong for Indiana to keep them waiting, in case an in-state group becomes available later, instead of matching them immediately with a group just over the border in Chicago. This issue is particularly significant in large metropolitan areas that straddle state lines such as New York City, Philadelphia, and Washington D.C.

Recommendations

The group of national experts that met at Harvard has made the following recommendations to eliminate barriers to adoption.

1. *Reward both sending and receiving states for creating interstate adoptions.* In the current system, the state that sends the child to be adopted in another state enjoys a financial gain while the state that receives the child experiences a financial loss. Congress should change incentives so that both states are rewarded when a child is adopted across state lines.
2. *Establish national standards for home studies and for descriptions of waiting children.* Nationwide use of a standard home study, such as the Structured Analysis Family Evaluation (SAFE), will raise the average quality of home studies. A nationwide standard is also essential for increasing interstate adoptions, since mistrust of data from other jurisdictions is a barrier to adoption. Similarly, national standards for describing and disclosing each waiting child's experiences and needs are critical, both for the process of matching children and parents and for preparing parents to meet the child's

needs. Congress should instruct the Department of Health and Human Services to establish these standards.

3. *Eliminate long-term foster care as a goal.* Children with a goal of Another Planned Permanent Living Arrangement (APPLA) exit foster care into "living situations" but have no family. "No family" should never be the plan for a child. Congress should create incentives for states to replicate existing effective initiatives for reducing use of APPLA.
4. *Emphasize funding for post-adoption services.* No money is dedicated to post-adoption services while significant funds are set aside for other programs, such as independent living for youth with a goal of APPLA. Children who have been adopted from foster care outnumber those in independent living programs by 10 to 1. Funding for post-adoption services should be increased so that it is *at least equal* to that dedicated to supporting independent living. As use of APPLA is reduced and independent living services are less urgently needed, Congress should reallocate the funds currently used for independent living to post-adoption services.
5. *Encourage development of a robust, comprehensive practice model of adoptions from foster care*. Congress should support the development and use of a model that enhances the primary emphasis on safety with a more nuanced strategy for permanence. An effective model will feature child-specific recruitment, clearly defined roles and responsibilities for workers and supervisors, and youth involvement in collaborative permanency planning. Such a model will facilitate training of frontline social workers and supervisors and will make it possible to develop measures of accountability for outcomes.

Adjusting Adoption Incentives to Eliminate the Barrier to Interstate Adoptions

The clearest way to use the Adoption Incentives program to encourage adoptions across state lines would be to make an interstate adoption eligible for an enhanced incentive payment and require that the sending and receiving state split the incentive. In that way, ***both*** states benefit when states cooperate to place a child.

Why This Matters- A True Story

For many years I ran an agency in Rhode Island that recruits families to adopt children from the state's child welfare system. Like many such organizations, we had a waiting child" feature on a local TV station. After a "Tuesday's Child" spot showing a 7 year old black boy named Justin, I received a call from a woman just over the border in Massachusetts. She was a lawyer. Her husband was a doctor. Both were black. She told me that she and her husband had been considering adoption for several years. They saw Justin on TV. They were moved by his story. They prayed. And they decided that they would adopt this child. In any rational system, I should have been in a state police car racing up Route 95 to get this family- a child's life was at stake.

But the family never adopted Justin. Rhode Island was not legally able to provide a "home study" to a Massachusetts family. And Massachusetts refused to use precious state resources to prepare a family to adopt a child in another state. Their suggestion was that the couple go through the entire adoption process and, at the end, adopt a Massachusetts child. The couple was horrified. They saw no rational reason why they could not be considered for Justin. So, a family was turned away and a child continued to wait.

I urge this committee to explore ways to adjust the Adoption Incentives Program in ways that would ensure that when a child like Justin is adopted across a state line, the result is as it should be- A child has a family. Parents have a child. And society wins.

Thank you.