

Testimony submitted by Marie Dolfi, LCSW

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*For the:*

**United States House Committee on Ways and Means,  
Subcommittee on Human Resources**

*For the hearing:*

**Increasing Adoptions from Foster Care**  
February 27, 2013

My name is Marie Dolfi and I am an adoption social worker who has been active in advocating for foster and adoptive children in New York State for over 15 years. While I am on the board of numerous organizations I am submitting this testimony as an independent social worker. Thank you for having this hearing and asking advocates to share their thoughts on increasing the number of adoptions for children in foster care.

I applaud the committee's effort to look at what can be done to decrease the number of children who are in foster care that do not have a permanency goal to return to their birth families. As an advocate I would suggest the committee reframe the question from what incentives can we give the states to reduce the number of children in foster care (more of the same) to the question:

**What can we do at the federal level to make more people come forward to adopt children in foster care and be successful families? Then require the states to enact programs and policies that specifically answer that question so more families will come forward to adopt.**

*There are too many disincentives to adopt children in foster care that past federal incentives did not address with prior well intended programs.*

The second part of the question – help families to be successful- is key for two reasons. First would be for the welfare of the child who has already had traumatizing experiences prior to foster care not be further harmed and build loving bonds with their new family. Secondly, if the community sees the families as struggling with children with severe mental health issues (due to the trauma, abuse, neglect, prenatal alcohol and drug exposure they experiences prior to foster care) community members themselves will not want to adopt and have the same severe difficulties for their family.

As someone who has talked to NYS Governor Andrew Cuomo's staff, senior administrators at NYS's Office of Children and Family Services and NYS legislators I believe they have other priorities than to increase adoption from foster care based upon their lack of actions.

- Adoption and Foster Care Analysis and Reporting System (AFCARS) for NYS show 30% of the children who enter foster care 12 & older leave foster care without a family.<sup>1</sup>
- NYS is 44<sup>th</sup> in timeliness of adoptions amongst the states.
- There is an alarming rate of children entering foster care *after* adoption (foster care, private adoption and international adoption)<sup>2</sup> Caring loving adoptive parents are left with no choice to have their child enter foster care when there are safety issues in the home and the state is not providing services to keep the child in their adoptive family.
- NYS is not spending any savings from the Fostering Connections to Success and Increasing Adoptions Act on post adoption services. Further, NYS OCFS will not say what they have done with the millions of dollars saved by this act.<sup>3</sup>

If the Adoption Incentive payments were working to motivated NYS to increase adoptions from foster care the state would have received grants more than 3 out of the last 14 years. To date, the foster children waiting for adoptive families are not a priority for New York State.

So what will increase the likelihood of someone adopting from foster care?

- Post adoption services are an incentive:
  - Children are staying in foster care because they will not be eligible for services after adoption not because of a lack of families<sup>4 5</sup>

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<sup>1</sup> 2009 Children's Right's Report

<sup>2</sup> Testimony to NYS Human Services Budget Hearing has numbers for NYS. See below hyperlink

<sup>3</sup> Testimony to NYS Human Services Budget Hearing has documentation <http://nysccc.org/wp-content/uploads/NYSCCCHuman-ServicesTestimony.pdf>

<sup>4</sup> New York State Longest Waiting Children, Rosemary Avery

<sup>5</sup> NYS Bridges to Health Program has dramatically increased children being adopted from foster care. Unfortunately the number of openings for children in this program is severely limited.

- Adoptive families will be seen as successful in their extended families and communities so others will step forward and believe they can successfully adopt too. Not only are community members seeing families struggle with children with severe mental health issues they are seeing NYS take out neglect petitions against parents who request residential treatment and then the state is billing the family \$17,000 a year. This is incredibly harmful and disrespectful to adoptive families. We don't take neglect petitions out on parents whose children need 24 hour care due to developmental disabilities or medical concerns! Residential treatment is a response to needing intensive treatment due to the children's mental health issues caused by experiences prior to adoption not poor parenting on the adoptive parents part. Why would anyone risk having a neglect petition taken out on them?

The benefits of post adoption services for children and their families has been substantially documented.<sup>6</sup>

What will help with recruitment of families?

- 9 out of 10 people drop out of the process to adopt a child from the foster care. Too much emphasis is put on recruitment of families and not enough on helping them manage the cumbersome process of adopting from foster care. The original federal AdoptUsKids initiatives and Adoption Opportunity Grants included awards to organizations to help prospective adoptive parents navigate the foster to adopt system. It is now my understanding that the emphasis is on recruitment not with keeping prospective parents engaged in the adoption process. There have not been any such grant awards in this area in more than 10 years.

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<sup>6</sup> Keeping the Promise: The Critical Need for Post Adoption Services to Enable Children & Families to Succeed, Evan B. Donaldson Adoption Institute

- Case workers are reluctant to find families for children with severe mental health issues when they know there are no real post adoption services to support the children to be successful in families. Case workers will be more proactive in finding families if they know the child will not lose services after adoption.

I conclude by saying I'm not an expert of past federal incentives and their successfulness. What I can say doing more of the same will probably not bring states to further significantly increase adoptions from foster care.

Mandated statewide post adoption services are needed because:

*Love does not fix trauma*

*Commitment does not remove the emotional scars of abuse and neglect*

*And*

*Compassion does not heal a brain that has been damaged by*

*Prenatal alcohol and drug exposure*

Without mandated statewide post adoption services children will remain in foster care because they will lose necessary services (respite, counseling and services for families – support groups, training) upon adoption if the system is not changed.

Respectfully submitted,

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