The Future of Foster Care

New state efforts aim to reduce the length of time children spend in care.

BY NINA WILLIAMS-MBENGUE

Stacey had been in foster care in Austin, Texas, for three years. The 11-year-old hadn’t seen her mother in two years and her father, who still had legal rights to her, was on his way to prison. Stacey, not her real name, wanted to be adopted by her foster parents, but was in long-term foster care where she normally would have stayed until she was 18.

A new initiative in Austin in 2007, however, started looking at cases like Stacey’s. Child protective officials wanted to find permanent homes for kids who had been in care for long periods of time because they had no home to return to, no relative to live with or almost no chance at adoption. Stacey was finally adopted by her foster parents, saving the state of Texas thousands of dollars and giving Stacey a chance at a better life.

Stacey’s situation is hardly unique. States and localities nationwide want to reduce the number of children in foster care. There also is a push from the federal government to find safe, permanent homes for these kids. States spend $25.7 billion a year in federal, state and local funds on child welfare, including foster care, adoption and keeping biological families together and safe. With nearly 500,000 children in care on any given day, it’s no easy task. The good news is that foster care caseloads have dropped nationally from 523,000 in 2002 to 496,000 in 2007. The average length of time that children stay in care has also been declining, from 20 months in 1998 to 15 months in 2006.

Large numbers of children still enter care each year, however, and many children remain far too long. Close to 25 percent of children in foster care in 2006 had been in care for more than three years.

The longer children remain in care and the more moves they make from one foster placement to another, the higher the risk for emotional and behavioral problems, poor academic performance, pregnancy, homelessness, unemployment and incarceration, according to research.

Caseloads have dropped in a number of states in recent years, and several—including California, Florida, Illinois, New York and Texas—are seeing significant declines. Some states took advantage of federal government “waiver programs” that allowed them to use some foster care maintenance program funds on demonstration projects to test ways to safely lower caseloads.

Other states have tried to address some of the problems facing children who have spent the longest amount of time in foster care. Michigan, Texas and Washington have looked at why minority children are overrepresented and stay longer in foster care than white children. Many states have teamed with private foundations, universities and others to devise new ways to prevent children’s entry into care, shorten the time spent, and help children be adopted or move to other permanent living situations.

FLORIDA’S EXPERIMENT

Since 2006, Florida has used a federal waiver to redesign its system to focus on reducing the number of children who enter care. Federal money traditionally had been restricted to children in foster care, but under the state’s plan, child welfare dollars follow the child, rather than the placement of the child. Money can be spent to keep children with their families with services ranging from parenting classes to economic assistance and substance abuse and mental health treatment.

As a result, children were removed from their homes less often and caseworkers made faster decisions on whether kids should be reunified or adopted.

As of August, nearly 10,000 fewer children are in foster care compared to December 2006. The number went from 29,255 to 19,436, a 33.5 percent reduction. Adoptions of foster children are at an all-time high, with 7,451 children adopted in fiscal years 2008 and 2009. Florida just received $9.75 million in bonus funds from the federal government for its increase in adoptions of children from

Nina Williams-Mbengue tracks foster care issues for NCSL.
foster care.

“We’ve been able to see a reduction of children in care,” says Senator Ronda Storms, who chairs Florida’s Children, Families and Elder Affairs Committee. “Reduction of foster care is critical. More important are strategies to help families raise children in the best possible environment. We need to make sure we’re adopting practices to strengthen families.”

Even with the state’s success so far, Storms is concerned about children when they leave foster care.

“If a child has been removed from home, there’s usually a good reason,” she says. “We need to make sure that our measurements are accurate so that we know if kids come back into care. We want to make sure that the intervention is effective and that we are not returning the children to the system in worse shape.”

STRIDES IN GEORGIA

A recent federal review of Georgia’s child welfare system and the most recent findings of the court monitor charged with overseeing the state’s progress gave high marks to the state’s Division of Family and Child Services on child safety, finding permanent homes for children, reducing the number of children who re-enter foster care and education for children in care.

“Today, there are fewer children in foster care, more children are being placed with relatives, the recurrence of child maltreatment is well below the national average, and the average caseload per caseworker has significantly decreased,” says B.J. Walker, commissioner of the Georgia Department of Human Resources. “These aren’t just figures on a piece of paper. These are achievements of the court monitor charged with overseeing the state’s progress gave high marks to the state’s Division of Family and Child Services on child safety, finding permanent homes for children, reducing the number of children who re-enter foster care and education for children in care.

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“A VARIETY OF APPROACHES

States and cities have taken different approaches to reducing the number of children in foster care.

California: Los Angeles and Alameda County participated in a five-year federal waiver demonstration program that called for child protection workers to focus on finding permanent homes for older children by establishing specialized youth “permanency units” and employing “differential response” programs in which child abuse calls are handled according to the severity of the abuse. The number of children in foster care went from 18,304 in 2007 to 16,429 in 2009.

Illinois: The state has supported relatives who became legal guardians of children removed from their parents’ care because of abuse for more than a decade through another of the federal demonstration waivers. The waiver allows the state to pay relatives who cared for the children using federal funds normally restricted to foster care. The number of children in foster care went from 49,000 in 1995 to 17,000 in 2006. The length of time children spent in foster care also was significantly reduced. And the state saved about $54 million in administrative costs over the first five years of the program.

Maryland: The Maryland Department of Human Resources “Place Matters” Initiative requires that families be involved in decisions affecting them and that efforts be made to prevent children going into foster care in the first place. The number of children in foster care went from 10,300 in 2007 to 8,800 in 2009.

New York City: After officials beefed up prevention services and its child welfare workforce, there was a more than 50 percent reduction in the number of foster children from 1997 to 2007. The cost savings allowed the city to invest even more money in reduction efforts.
that have enhanced the lives of Georgia’s children and their families.”

A 2002 class action lawsuit filed on behalf of children in foster care resulted in a ruling requiring the state to improve how it handled foster children. The state’s foster care population is now beginning to decline and counties continue to be successful at finding permanent homes for children who have recently entered care.

Finding homes for children who have been in care for more than a year is difficult, so the state is developing a new unit that will work to find permanent placements for children. It will focus on providing services to strengthen families, increase its use of family team meetings, do a better job of searching for relatives, and work with private agencies experienced in finding homes for children in long-term care.

Representative Judy Manning, chairman of the House Children and Youth Committee, says the state has made great strides, but still faces challenges.

“There continues to be a problem with placing children quickly into good homes and making sure the placement is good and stable and paying for the placement,” Manning says. “We want to make sure the children are taken care of. We don’t want to endanger them further.”

The state, working with the Casey Family Programs foundation, gathered a team of caseworkers, supervisors and other experts to examine more than 500 long-term cases over a five-week period. They looked at what could be done that had not been done before, how to involve kids in the process and what it would take to find each child a home. The state expanded the project to review 2,000 additional cases, and several other states are now considering a similar approach.

“It gave us a chance to look at all elements of each case, big and small, so that what we were trying to accomplish didn’t look insurmountable anymore,” says Carnella Harvey, a case supervisor for Georgia’s Division of Family and Children Services.

William C. Bell, president and chief executive of the Casey Family Programs foundation, says giving states the “policies, practices, tools and resources” they need is key to safely reducing the number of children in foster care. “State legislators and administrators are uniquely positioned to lay a solid policy foundation upon which progress can be accomplished and success sustained over time.”

**CHILDREN OF COLOR**

A number of child welfare experts argue that any effort to safely reduce the numbers of children in foster care should begin with an examination of the fate of children of color, especially African-American children, in state child welfare systems.

Thirty-three percent of kids in foster care are African American but they make up only 15 percent of the child population. Yet a series of large, federally mandated studies found minority parents are no more likely than white parents to abuse or neglect their children. The studies showed no significant difference in overall abuse rates between black and white families.

Mindful of these disparities, Texas legislators in 2007 authorized a study that found more African-American children were removed from their homes, fewer were returned to their biological families, and more children aged out of foster care without an adoptive family.

Texas’ study mirrors African-American children’s foster care experiences nationwide. Experts disagree on the causes. Some believe the issue is economic, not racial since African-American families and neighborhoods are disproportionately poor and poverty is correlated with a higher risk of abuse.

“A couple of years ago, 15,920 Texas kids were removed from their homes, of which 4,201, or 26 percent, were African American,” says Representative Dawnna Dukes, vice chair of the House Appropriations Subcommittee on Health and Human Services. “We found that African-American children spend more time in foster care, are less likely to be reunited with their families, and wait longer for adoption than other ethnic groups.”

To address the problem, lawmakers required staff in each region of the state to find ways at each stage of the decision-making process that would work to reduce the
overrepresentation of minority children. The state developed five county pilot projects, hired specialized staff, developed community advisory groups and trained protective service workers to ferret out bias in practice. In four of the five counties, and statewide, the imbalance between white and minority children in foster care has gone down.

Overall, Texas has seen a noteworthy reduction of children in foster care, from 33,615 children in 2007 to 31,058 in 2008, according to a Casey Family Programs analysis. There was a 31 percent increase in adoptions from foster care in 2007 and 2008.

State officials attribute the results to increased involvement of families in decision making, improved services, better screening of child abuse and neglect reports, additional staff, emphasis on placing children with relatives and a leadership focus on reducing foster care.

KEEPING KIDS IN MIND

New federal legislation—The Fostering Connections to Success and Increasing Adoptions Act of 2008—offers states opportunities to improve results for children in care, improves incentives for adoption, and helps support relatives who care for children, and keeping them out of foster care.

More and more, state lawmakers are looking at using flexibility in federal regulations, other ways to preventing children from going into foster care in the first place, and reducing how long they spend there. Legislators have enacted laws to strengthen child welfare agencies and the courts, authorized commissions and task forces to examine foster care, and mandated prevention programs.

Lawmakers ultimately want to be assured that children are safe whether they end up with their biological families, legal guardians or adoptive families. Even as legislators continue to face serious budget problems, they need to keep the welfare of children in mind, says Dukes.

“We must focus additional resources on programs that will prevent child abuse and neglect before they occur,” she says. “The most important resource in our states is our children, and ensuring their welfare must be a priority.”