



# Permanency Values & Court Engagement:

## Who *Wouldn't* Want a Family?

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# Topics for Today

- **What is Permanence & Why so Important?**
  - How this relates to MN law and policy
- **How? The “5-step Approach”**
  - Best & Promising Practices
  - Concurrent Planning
- **What is Engagement & Why so Important?**
  - Family of Origin, Siblings, Relatives
  - Fathers
  - Youth & Others in the Youth’s Network
- **Role of Judges & Courts in achieving and supporting Permanence**

# Make Connections: We All Need Families

*So, this is how it is in foster care, you always have to move from foster home to foster home and you don't have any say in this and you're always having to adapt to new people and new kids and new schools. Sometimes you just feel like you are going crazy inside.*

*And another thing, in foster care you grow up not knowing that you can really be somebody. When I was in foster care, it didn't seem like I had any choices or any future. All kids deserve families. They need a family, to have someone, this is father, this is mother—they need a family so they can believe in themselves and grow up to be somebody. This is a big deal that people don't realize. I wish everyone could understand.*

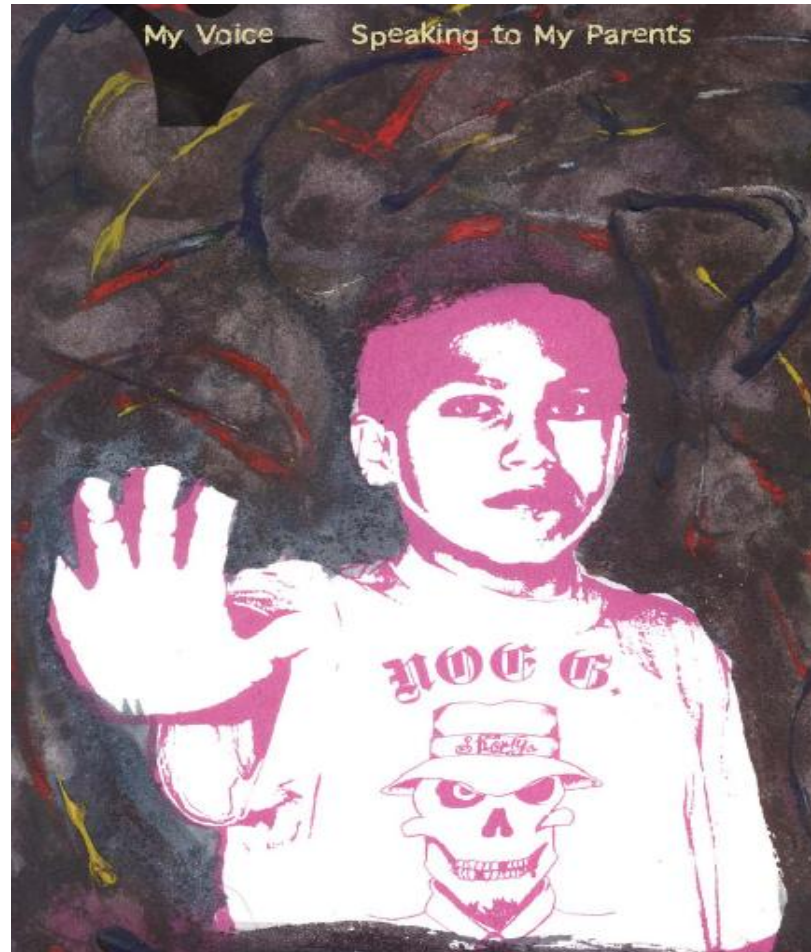
*- Former Foster Youth*



**30 Years Ago, Mary Aged out of Care ~  
*Happy Birthday, Mary ~  
You're Free!***



# 20 Years Ago, it was David's Turn *Its Safer in Jail*



10 Years Ago  
***George Had to Choose Between  
Medication and Housing***





Today . . . .

# Irene Fails Deliberately to Stay in School, *One more Year*



# Youth Aging Out of Foster Care

## Where are they?

- More likely to live in the least “family-like” settings
- Many have “goal” of “emancipation”
- More than 28,000 do “emancipate” each year
- 12-22% become homeless from day one

From: AFCARS Data, and studies by Courtney, Wulczyn, Hislop, Casey

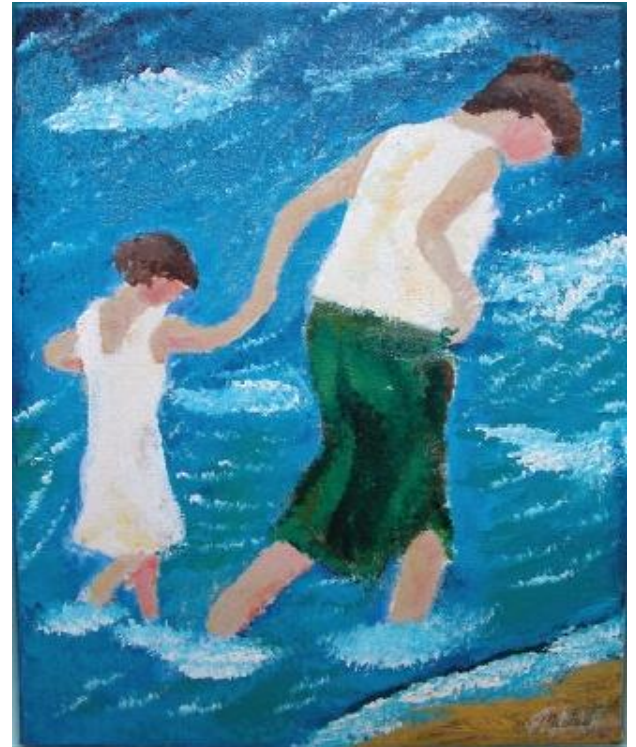




**In spite of our collective expertise – we are not getting the outcomes we desire for our youth – but we CAN.**

What is the most important factor that determines whether a youth attains permanency?

Why is this good news?



# We Can, We Must, Do Better!

## Paradigm Shift:

**A change from one way of thinking to another. It's a revolution, a transformation, a sort of metamorphosis. It just does not happen, but rather it is driven by agents of change.**

(Kuhn, 1970)

# MN Statutes related to Permanency: *Determining Parentage & Engaging Fathers*

- Identifying Parents, Diligent Efforts
  - Asking questions, gathering information
  - Search MN Father's Adoption Registry
  - **any other reasonable means**
- Court Inquiries regarding identities of both parents
  - Inquiries at first and **any subsequent hearings**
  - Court Review of Diligent efforts
  - Reasonable Efforts findings

# MN Statutes Related to Permanence: *Working with Relatives*

- Relative Search
  - Prior to Placement, Within 30 days of removal
  - Comprehensive in scope, lasts as long as needed
  - Include both maternal and paternal relatives
  - Consider relative placement without delay
  - Relative notification at key junctures

# MN Statutes Related to Permanence: *Case Planning*

- Identify, Locate & Offer Services to Both Parents
- Concurrent planning – MN definition:  
*Working towards reunification, while at the same time developing and implementing an alternative permanency plan.*
- Out-of-Home Placement Plans
- Engage both parents in case planning



# **MN Statutes Related to Permanence:** *Ongoing Permanency Planning for Older Youth*

- Review Hearing for Youth over age 16
  - Include IL plan and well-being – link to permanence
- Transition Plan for Youth over age 17
  - Must be detailed, specific and personalized

# Youth in Foster Care: What do they need?



- **Safety = both physical & psychological**
- **Permanent Family Connections and Caring Adults**
- Skills & Resources
- Appropriate Supportive Services

***“Who wouldn’t want a family?”***

***Who wouldn’t want to have a family to spend holidays with, to call when things don’t go right, or to call when things are great to celebrate? Who wouldn’t want that?”***



# Permanence:

What is It? –

# Grocery Sack Exercise



- What would you pack?

# Permanence: What is it?

## My working definition



- A parent or two – A parenting relationship with at least one adult
- Intent – a mutual understanding that this relationship is intended to last forever
- Unconditional commitment by the adult(s)
- Participation of all parties in the relationship
- Lifelong and mutual support and involvement
- Intimacy & Belonging – “My son”, “my mom”
- Status How the world views your relationships



# WHAT is Permanence?

## A Youth Perspective

- PERMANENCE is **NOT** a place ~
- Permanency is a state of mind,  
*not a placement*;
- Permanence is having the feeling that you are  
*connected*,
- That there is someone *in the middle of the night* who  
will answer your *collect* phone call
- Or *miss you* when you don't show up



# Creating a Context – Bringing it Home IS PERMANENCE FOR ME?



- Over 18? ~ 21?
- Competent? ~ Do I have Skills?
- Do I use services?
- Why need a family?
- My own permanent family –  
Under one roof?

# **Genuine Permanence:**

## **3 Tests – 5 Stories**

- **The “Miss-me-when-I-don’t-show-up” Test**
- **The “Age 34” Test**
- **The “Hospital” Test**

# Five Stories

- 1<sup>st</sup> – Tammy – “Miss Me Test”



## 2<sup>nd</sup> Story – JD – “Miss Me Test”





# 3<sup>rd</sup> Story – Renee – “Age 34 Test”

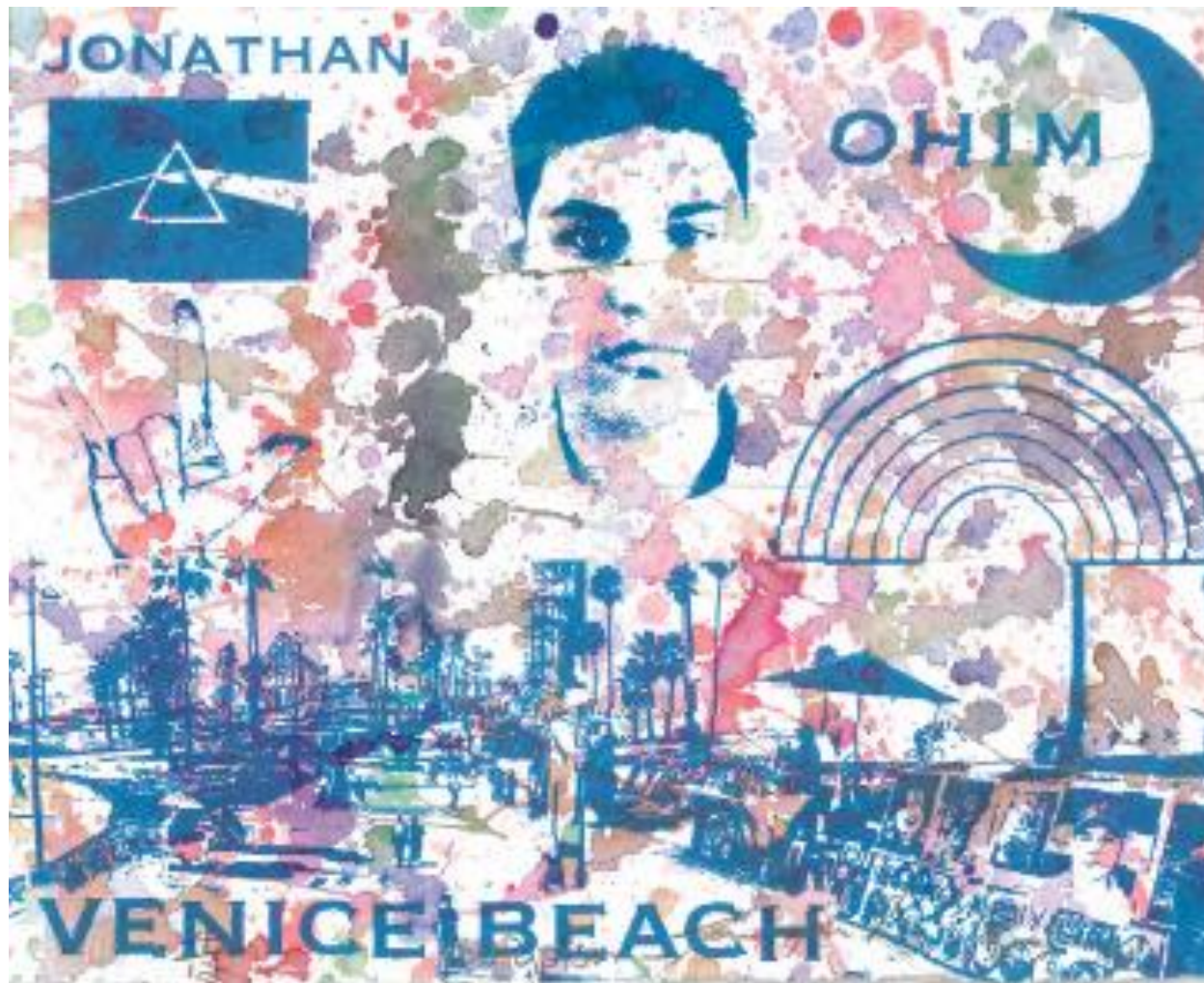


# 4<sup>th</sup> Story – Peggy – “Age 34 Test”





# 5<sup>th</sup> Story – Lou – “The Hospital Test”



**If we understand the  
importance of permanence –  
why can't we achieve it for all  
of our children and youth?**

**"FAMILIES ARE NOWHERE"**

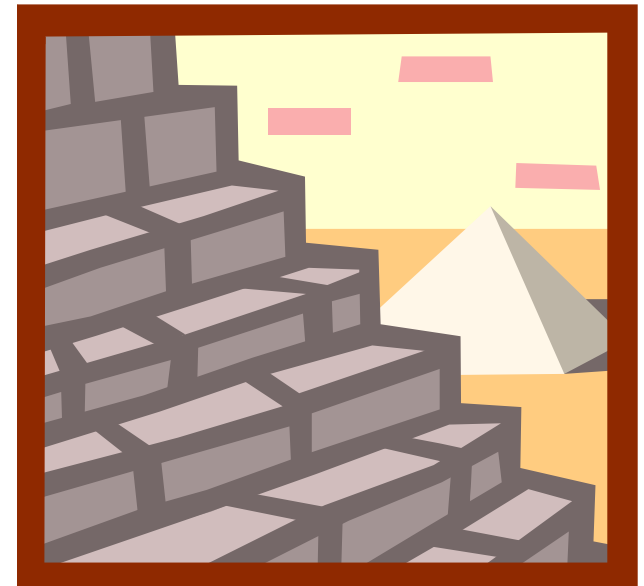
# 5 + 5 + 5 = Forever

- EVERYONE needs to be **“P.O’ed”** (Nancy Salyers)  
**“Permanency Oriented”**
- Keep a sense of **URGENCY**
- Use a **TEAM APPROACH** for planning and decision making
- Think about **WHO** to include
- **5 Steps + 5 Networks + 5 Questions**



# FIVE Steps for Creating An Individual Permanency Plan

1. Preparation
2. Gathering a **Team**
3. Developing a **Plan**
4. Investigating **Resources**
5. On-going **Follow up**, De-Briefing, continual learning & quality assurance



# STEP 1: PREPARATION:

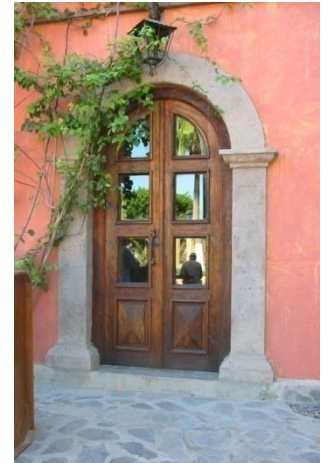
- **Person-Center Planning frame**
- **Record Review**
- Family Finding & Diligent Search
  - Record Review
  - Internet Sites for locating persons
- **Comprehensive Assessment**
  - Trauma-Focused
  - Permanency-Oriented
  - Strengths-based



# Step 1: Preparation – Understanding the Options

## Many Doors to Permanency for Youth

- Youth are **reunified** safely with their parents or relatives
- Youth are **adopted** by relatives or other families
- Youth permanently reside with relatives or other families as **legal guardians**
- Youth are connected to permanent resources via fictive **kinship** or customary adoption networks
- *Youth are safely placed in another planned alternative permanent living arrangement which is closely reviewed for appropriateness every six months*



# Step One Permanency Options

- Does planning for permanence begin immediately?
- Are all options discussed and understood by agency staff? Courts? Advocates? Youth? Parents & other prospective caregivers?
- Are tools such as comparison charts available?
- Is full team engaged in review of all permanency options to make informed decision about best option for individual youth



## Step Two – Gathering a Team

- Agency
- Courts
- Parents
- Youth
- Other Kin/Caregivers
- Other Service Providers
- Family/Youth's own support network



# WHO

## Step 2 – Creating the Team ~

### Needs to Be Included as Part of the Team?

- **WHO** does this young person **SPEND TIME** with?
- **WHO** did he **EVER spend time** with?
- **WHO** is **CONNECTED** to him – even if they don't know it?
- **WHO** has **EXPERTISE** related to his needs?
- **WHO** has a **NETWORK** related to his interests, talents, strengths?



# Step Three – Creating the Plan

## Case Plan as Road Map ~ Two Ways to Travel

- Road Trips to Detroit
- Summer Trips with Family
- Both journey & destination matter
- Hearings & Specific Questions  
Judges & Attorney's can ask
- Mary Lee and Wade's Stories





## Step 3 – Create and work the plan

# FIVE KEY QUESTIONS

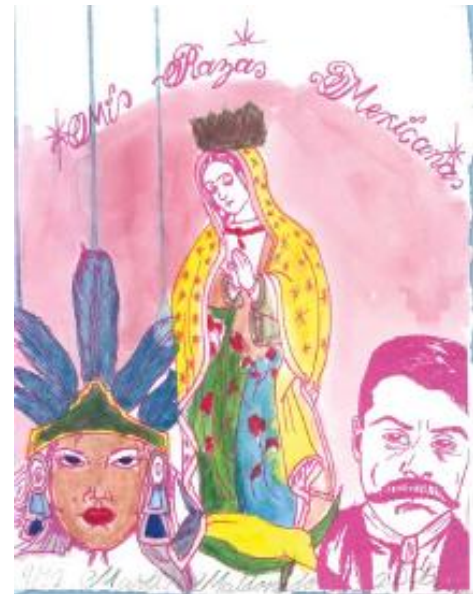
- What will it take?
- What can we try again that has been tried before?
- What can we do differently?
- What can we do concurrently?
- How can we engage the youth in developing & implementing the plan?



# Concurrent Planning & Maya's story

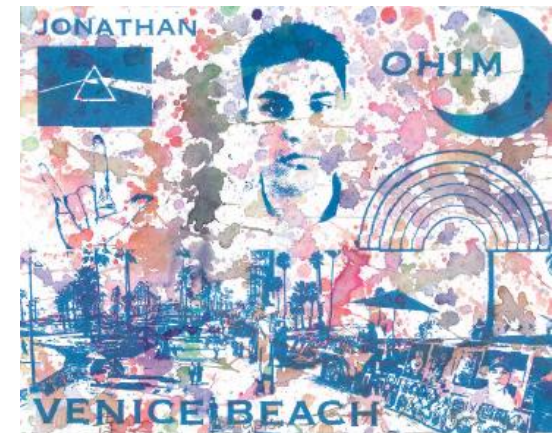
***Concurrent rather than sequential planning efforts to more quickly move children from the uncertainty of foster care to the security of a permanent family***

- Maya & PJ
- In care 16 years
- Birthmother
- Sibling
- Foster Mother
- Services



# Step 4: Investigating Resources

- Identify both formal and informal resources
  - Use resources the youth is familiar with as a starting pt
- Formal resources – agencies, providers
  - Applications, enrollment, waiting period
  - Eligibility, fees, alternatives
- Informal resources
  - Current foster family
  - Extended family, “fictive” kin, neighbors
  - Peers, social network of the youth
  - Community of faith, other NGOs
  - Civic orgs, Corp/business community



# **STEP 5: Follow up: Provide On-Going Support**

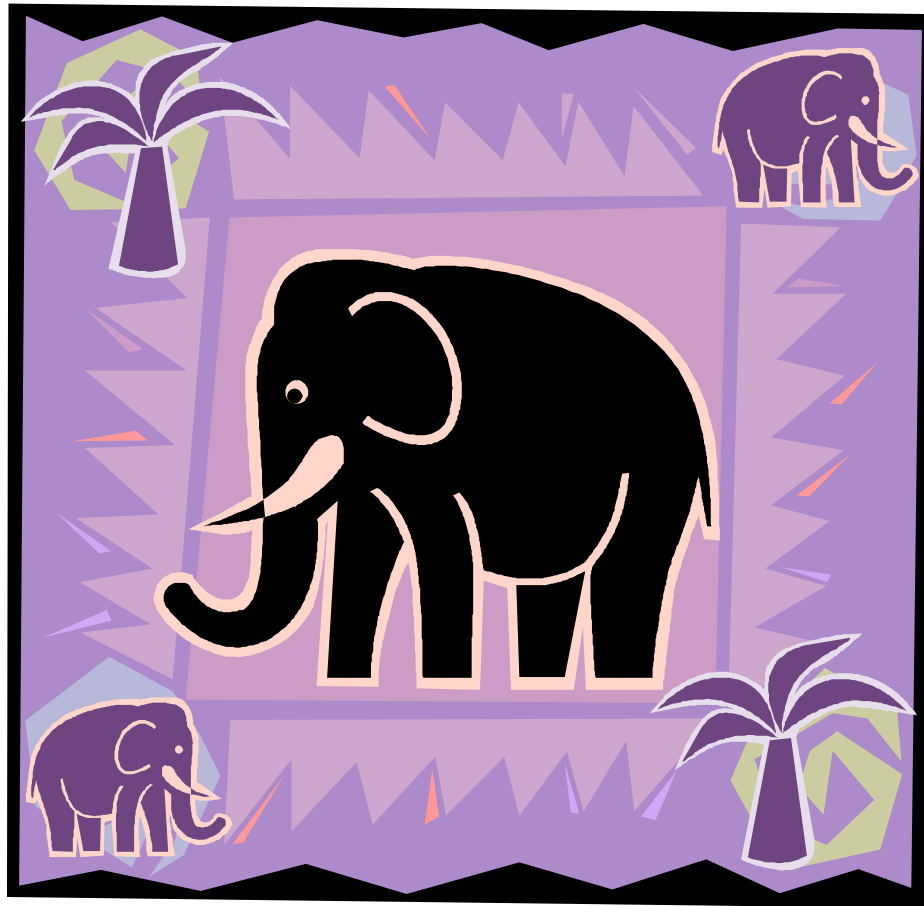
- Ensure that each step of the plan is being implemented**
- Check back, revise, modify from time to time as needed**
- Post-permanency services must be put in place to support any permanent placement**

# A successful plan depends on Meaningful & Effective Engagement

- COOPERATION AND COLLABORATION vs COMPLIANCE AND COLLOBORATION (Thanks Judge Fitzgerald!)
- How do you know it when you see it? (elements?)
  - **Personalize – our own experiences in the Dr office or our child's school**



# Why is Engagement So Important?



# Why is it so hard?

- Family Issues
- Cultural Issues
- Our issues (Arm crossing - 5)
  - Habits
  - Life experiences
  - Training, expertise
  - Values, belief systems
  - Systemic pressures
  - Fear for children's safety
  - Others?





# It's one of the worst situations a parent can imagine

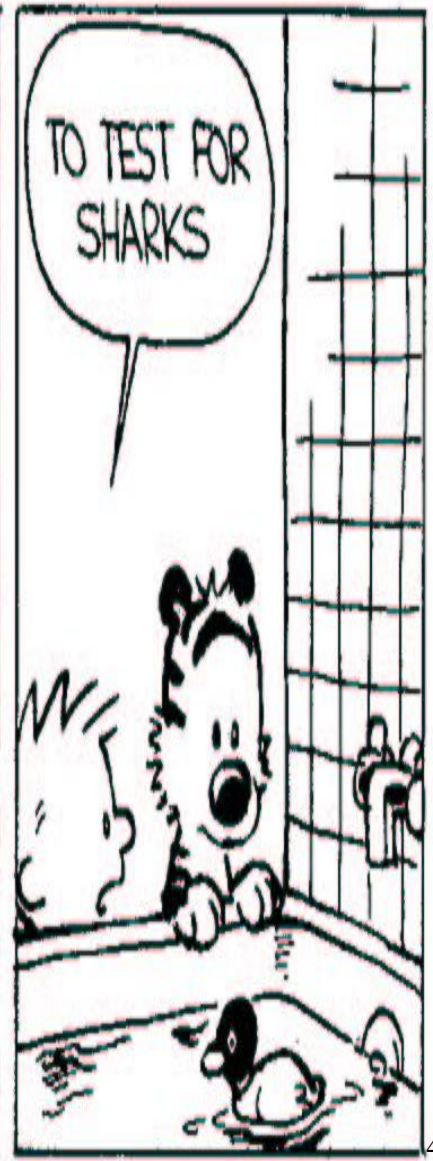
*“Brilliant!! I’ve been waiting for an opportunity to change my behavior patterns, and now that my back is up against the wall, I will roll up my sleeves and get busy. Just tell me where and how to begin; I can’t wait to follow orders.”* Marianne Berry, Ph.D. Kansas



...I ALWAYS PUT MY DUCKY IN FIRST.



WILSON



# Cultural Challenges to Engagement

- Eye contact story
- Concept of “Shared Parenting” – What does this mean to each of us and how can we allow ourselves to be part of a family’s “shared parenting” resources?
- Indian children



# Re-engaging the Family Will require many changes



- Engagement Requires:
  - Family's & Youth's Own Goals
  - Identifying Strengths
  - Recognizing how challenging it can be for the family and/or youth to identify their own goals and strengths

# Permanence and Changing Roles

- Everyone's role will change
  - “Mother” to “aunt”, “cousin” to “sibling” etc
  - How will family get support to cope with these changes?
  - Does family have the information needed to meet this child's needs?
- Preparing the rest of the extended family and other members of the support network



# Some Conflicting Feelings About These Family Changes

- Personal hurts, disappointment
- Desire to do the right thing
- Confusion: What IS the “right thing?”
- Shake-up of Values and Beliefs
- Distrust of system vs Needing Support
- “Spoiling/Doting” vs. “Parenting”
- Loss & Sadness vs. Enjoyment
- Shame & Guilt vs. Pride
- Fear vs. Hope





# Fathers Matter



- Children with Involved Fathers are safer, have more resources for permanence and improved wellbeing
- Who/What makes a “good father”? - 10
- What are my biases?
- Is there a continuum of possibilities for father engagement that are constructive?

***“Son, The way I see it, you have two choices – you can sit on the bench or you can get into the game and be a player.”***



# Engaging Fathers: Special Challenges & Opportunities— Fathers say “I am not involved because. . .”

**The system is biased against men**

**-stereotypes of “deadbeat dad”**

System only cares about financial involvement (i.e. child support)

**Lack of information, notice about agency involvement, meetings,  
court hearings**

I want no contact with Mom

**I do not believe the child is mine**

I fear incarceration for nonsupport

**I want no contact with her current partner**

I did not know about this situation



# Helping Dads Negotiate the System

One researcher found : “*caseworkers anticipat[ing] that their ‘investment’ in working with birthmothers will yield a better ‘return’ than working with fathers*”

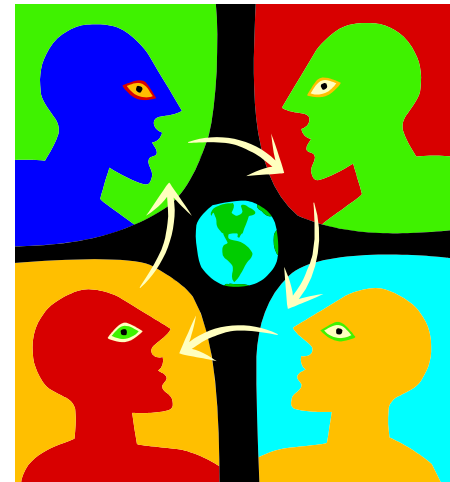
**How do you react to that statement?**

- Help him understand roles – yours, his and other key participants
- **Get his perspective and show an interest in his point-of-view (even if you don’t agree)**
- Use a strengths based approach
- **Report his information accurately**
- Respect his right to disagree
- **Include his extended family as resource**
- Keep him informed about the process
- **Help him identify his needs and resources**



# Visits Contribute to Permanence

- Opportunity to **teach** child/family about permanence
- Engage in **specific activities** that impact permanence
- **Learn** who the child/family **is** or **could be** connected to
  - Remember the “5 Questions”



# Linking Safety and Permanency plans with Visits

- How do you use Visits to further the goals of the Safety Plan?
- Assessing & planning for both Physical and Psychological safety
- How can Visits contribute to a successful permanency plan?
- How can Visits provide an opportunity to empower the family and the youth?

# Role of Siblings in Successful Permanency Planning

- Sibling relationship longest lasting
- Separating siblings adds to trauma
- Judges should always inquire about sibling status, plans, visits, etc
- Siblings and their caregivers are often viable permanency resources





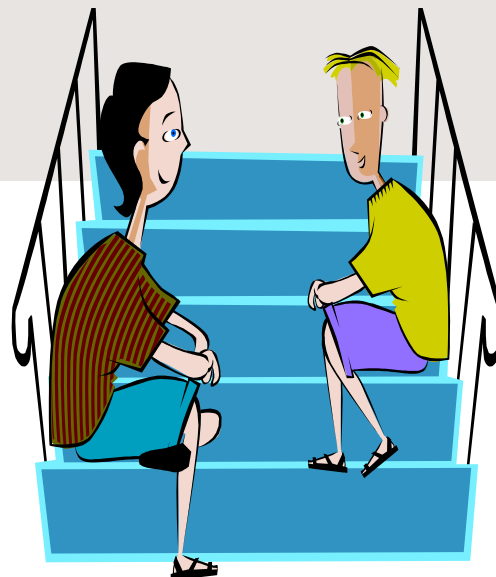
# PERMANENCE

Engaging Youth in their own permanency planning



# Engaging Youth

- Think about the time & place
- Talk about goals, hopes & dreams.
- Present thoughts and ideas for them consider **in their media**.
- Give them multiple venues for self expression (writing, music, art, sports)
- **Be honest\*** and help the youth understand the options and process – **every step of the way**
- Give youth opportunities to interact with peers in similar situations
- Don't make assumptions
- Ask questions
- **LISTEN**



•Bob Lewis story  
•Maury Povich story

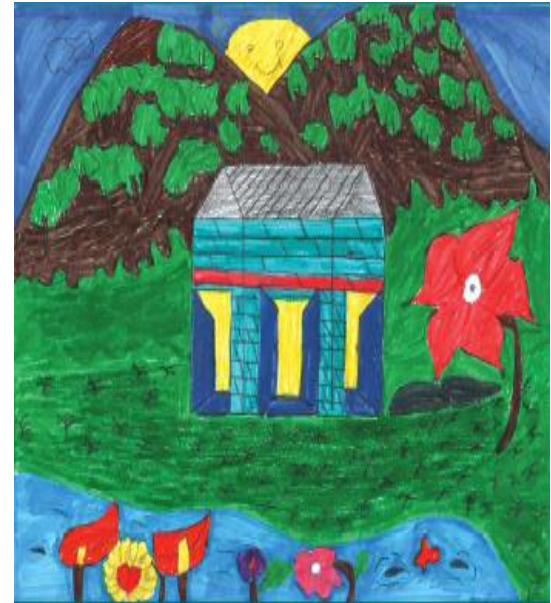
# Key Tasks of Adolescent Development: Identity Development – *Who Am I?* - & Separation Attachment Cycle Revisited

- “Get out of My Life But First Drive me to the Mall”
- Adolescents need to “try out” and “try on” different identities
- They also need a base to return to
- Imagine impact of going into foster care, or moving from one home to another on development



# Effective IL/Transitional Services will promote & support permanence

- Establish/Re-establish connections
  - Family
  - Mentors
  - Caregivers
- Build Skills
  - Life competencies
  - Vocational
  - Educational
- Provide supportive networks
  - Culture
  - Social supports
  - Resources



**Involve and support youths' participation in their own decisions**

(Freundlich & Brockman, 2004; Massinga & Pecora, 2004)

# Preparing Youth for Court, Recruitment & Other Permanency- Focused Activities –

- Pre-Event Discussion
- Enlist the Youth as a partner
- Post-Event Debrief



# Give All Youth A Voice in their Own Lives ~ *Nothing About Me Without Me*

These young people are often invisible to the systems and courts that serve them

*“There’s not much interaction or input when you go to court. You’re not included. My judge never interacts with me. I feel like no one actually listens.”*

12 year old in Nebraska



- “Having a child in court will benefit both the child, by increasing their participation and understanding, and the process, by forcing other players to deal with the child as an individual.”

Attorney from New York







- “Going to court was helpful because it kept me informed of what was going to happen, it allowed me to be able to share my concerns and wishes, and it helped me better understand the legal aspects of being in care.”

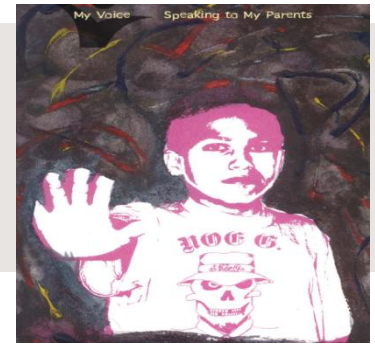
Foster care alumna from New York





- “It was scary but it felt like I had some control.” Foster care alumna in California
- “It is worth it to go to court. If you hear things from others, it might not be the truth.” 15 year old foster youth in Nebraska

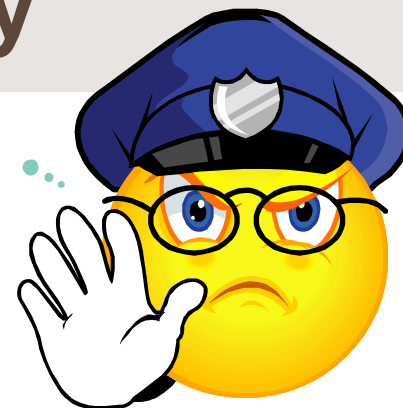
# When a Youth Says "NO"



- **I am ready for independence, I don't need more adults telling me what to do!**
- **I don't want to get dragged down by my crazy family and their issues**
- **Adoption is for babies – I am not a baby!**
- **I am happy where I am – I don't want to move**
- **I don't want to lose important connections to my siblings, grandparents, birth parents, former foster parents**
- **I need to protect myself from being hurt again!**
- **I don't want to change my name**
- **I'm scared**
- **No one will want me**

# When we Give the Youth the “POWER of the NO” – we say

- You are not lovable
- No one would want you anyway
- There is no hope for your future
- You are not important enough for me to exert myself trying to find you a family



# When we talk through the NO

**We need to reassure youth that they do not have to give up their past in order to get a future**

## Possibilities to consider include:

Issues around names

Safety plan for dealing with parental “issues”

Open adoption or other avenues to maintain birth family connections

Connections with siblings & foster families

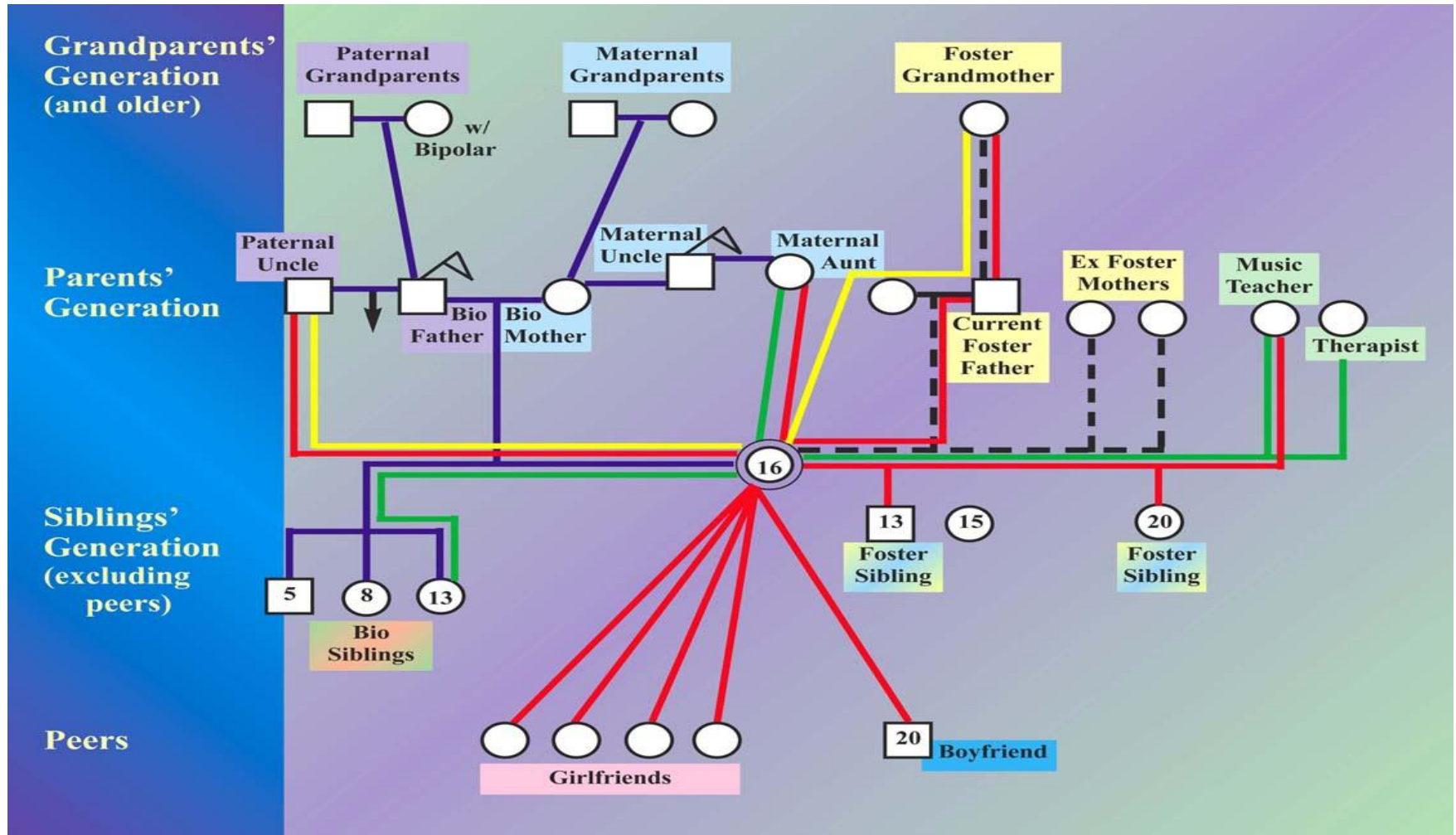
## Conversation starters could include:

*When you are older and need advice about buying a car, or taking care of a baby in the middle of the night – who might you call?*

*If you were going to be part of a family – what would be the best part? Hardest part?*

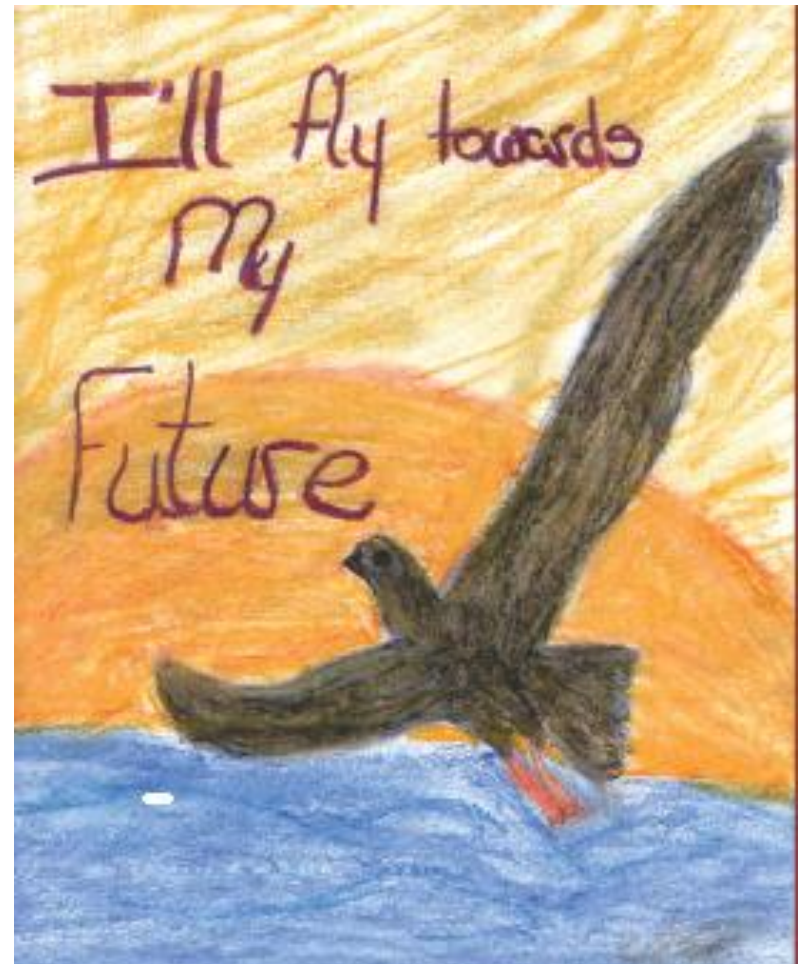
## Think incrementally

# CONNECTEDNESS CHART



# Final Story - Jamal

- All “5-Steps”
- Gathered the right team
- Used all “5 Key Questions”
  - Concurrently
  - With Jamal in the lead
- Result = Permanency



Are we

**“P.O’ed”** Yet?

**shoagbadeau@casey.org**



# I Always Thought I Was Adoptable

I always thought that I was adoptable even though I was 16 years old, but my social worker kept saying I was too old every time I asked him about it. I worked after-school at this hardware store and the guy who owned it was so kind to me. He was such a good guy and I always talked to him. I never really told him I was in foster care, but one day when we got to talking, he started to ask me a lot of questions about my family and then about life in foster care. I invited him to my case conference because my social worker said I could invite anyone who I wanted to, and at that point he asked about adoption. I was shocked at first, but it made sense. We finalized my adoption three months ago. That day was the happiest day of my life.

- *Former foster youth*



# Questions?

