



## Core 105-Adoption

Developed By:  
The Institute for Human Services

Revised By  
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Author Contributors:  
Judith S. Rycus, Ph.D., MSW  
Ronald C Hughes, Ph.D., M.Sc.S.A.  
Norma Ginther, MSW

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The Pennsylvania Child Welfare Training Program  
University of Pittsburgh, School of Social Work  
403 East Winding Hill Road  
Mechanicsburg, PA 17055

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**AGENDA  
CORE 105 - Adoption**

<b>15 minutes</b>	<b>INTRODUCTION.....</b>	<b>page 1</b>
<b>Section I 60 minutes</b>	<b>THE LEGAL PROCESS.....</b> <b>A. Introduction / Selection</b> <b>B. Summary of the Legal Steps</b> <b>C. Overview of the Court System</b> <b>D. Description of the Legal Steps</b> <b>E. Closing Points</b>	<b>page 4</b>
<b>15 minutes</b>	<b>BREAK</b>	
<b>Section II 90 minutes</b>	<b>UNDERSTANDING THE VALUES AND PHILOSOPHY OF ADOPTION.....</b> <b>A. Assumptions and Beliefs</b> <b>B. History / Orphan Train</b> <b>C. Definition of Adoption/Standards/Values</b> <b>D. Federal Legislation</b> <b>E. Current Trends</b> <b>F. Closing Points</b>	<b>page 13</b>
<b>60 minutes</b>	<b>LUNCH</b>	
<b>Section III 75 minutes</b>	<b>OPTIONS USED IN DECISION-MAKING FOR PERMANENCY PLANNING.....</b> <b>A. Review Quiz</b> <b>B. Permanency Planning /Options</b> <b>C. Decision-Making</b> <b>D. Goal Changing /Factors</b> <b>E. Closing Points</b>	<b>page 22</b>
<b>15 minutes</b>	<b>BREAK</b>	
<b>Section IV 80 minutes</b>	<b>ROLE OF THE CASEWORKER.....</b> <b>IN ADOPTION</b> <b>A. Personal Roles</b> <b>B. Interconnected Roles</b> <b>C. Adoption Work Activities</b> <b>D. Picking the Adoptive Family</b> <b>E. Adoption Services</b> <b>F. Closing Points and Success Stories</b>	<b>page 30</b>
<b>10 minutes</b>	<b>EVALUATION</b>	

# CORE 105 - ADOPTION

## Overview of Curriculum

### Rationale

Child Welfare professionals must accurately identify adoption as a placement goal for some special needs children as well as be aware of steps in the adoption process. Professionals must also understand how to appropriately assist in the adoption process of these children. By understanding the values and philosophy of adoption and its role within the multiplicity of available child welfare services, professionals can increase the opportunity for permanence and stability for children when the return to their birth families is not possible. By understanding the role of the professional in the adoption process, the professional can prepare and support adoptive children and families in the context of the best and most comprehensive adoption practice possible.

The competencies addressed in this CORE curriculum focus on the basic skills and knowledge necessary for all child welfare professionals regardless of their role in the process. The competencies include:

- The Child Welfare Professional understands the role of adoption in the continuum of child welfare services.
- The Child Welfare Professional understands the values that underlie adoption practice, including permanence for children; cultural continuity; preservation of identity; minimizing placement disruption; developing, strengthening, and supporting families for all children in need of homes; and the "adoptability" of all children.
- The Child Welfare Professional knows the nature and function of the components of a comprehensive adoption services program, including: at-risk placements, supportive services, foster/adopt placement, kinship or relative adoption, post finalization rights, and adoptive planning for the child.
- The Child Welfare Professional understands the concepts of family preservation efforts and knows the type of family situations that would warrant termination of parental rights and adoptive planning for the child.
- The Child Welfare Professional is aware of the appropriate legal action from goal change through termination of parental rights to finalization of the adoption.
- The Child Welfare Professional is aware, from the point of intake, of the need to gather and document information for the family and child assessment.

## **Learning Objectives:**

Specific learning objectives are provided for each section throughout the curriculum. Comprehensive learning objectives for the curriculum include:

- Participants will explore the values and philosophies of adoption as a placement goal.
- Participants will discuss the role of adoption within the continuum of child welfare services.
- Participants will be able to describe the legal process involved in the adoption of children from goal change to finalization.
- Participants will be able to appreciate the importance of the role of the child welfare professional in the adoption process.

## **Length of Workshop:**

6 hours

## **Materials:**

Specific materials needed to conduct the workshop are listed for each section of the curriculum. Handouts may be added to the curriculum only with prior approval from the Training Program.

## **Target Audience:**

This workshop is designed for newly employed Child Welfare Professionals and experienced professionals who have not had formal training in adoption work.

## **Expectations of Trainer:**

- The trainer should have casework and /or supervisory experience working with adoptions within child welfare services and be able to refer to personal experiences.
- The trainer should be knowledgeable and skilled in concepts of good adoption practice.
- The trainer should have experience in conducting training workshops and should have excellent group facilitation skills.

## **CORE 105 Adoption**

### **INTRODUCTION CORE 105 - Adoption**

#### **Learning Objectives:**

- Participants will be introduced to trainer and each other.
- Participants will identify training needs.

#### **Time: 15 minutes**

A.	Welcome	4 minutes
B.	Exercise: Name tents	3 minutes
C.	Exercise: Upon Leaving Training I Want to Know	8 minutes

#### **Materials:**

- Prepared flip chart pages
- Markers
- Name tents
- Index cards or flip chart page strips

# **CORE 105 Adoption**

## **A. Welcome**

1. Welcome participants to the training.
2. Briefly explain that this is a CORE workshop and note how this course integrates knowledge from other CORE workshops, especially CORE 100 (Legal) and CORE 104 (Separation and Placement).

**Trainer Note:**

Review Appendix A for information concerning CORE 100 and CORE 104.

3. Review details with participants:
  - a. minute rule
  - b. 15 sign-in sheet with Social Security number
  - c. evaluation sheet - both sides to be completed
  - d. availability of .6 continuing education units
  - e. restroom locations
  - f. local information such as availability of restaurants for lunch, parking
  - g. telephone use, messages
4. Introduction of trainer. (Give background of involvement with adoptions.)
5. Review the Agenda (very briefly)

**Trainer Note:**

The agenda could be posted on a flip chart page so that participants are aware of the four sections, lunchtime, and breaks. It also might be helpful to explain why the four sections are arranged as they are with the legal section first.

## **B. Exercise: Name tents (3 minutes)**

**Objective:** Participants and trainer will become acquainted with each other by identifying names, agencies, positions, and experience.

**Directions:**

1. Name tent materials will be located on table before participants arrive.
2. Instruct participants to write:
  - a. center - first name
  - b. top right corner - agency
  - c. top left corner - position with agency

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- d. bottom left corner - months or years working with agency

**Trainer Note:**

Trainer may have table group members introduce themselves to each other or use some other variation of introduction. There is very limited time for introductions.

### **C. Exercise: Upon Leaving the Training I Want to Know ...**

(8 minutes)

**Trainer Note:**

Prepare in advance a Flip Chart pages that are labeled; “**Parking Lot**” and “**I Want Know**” for participants responses.

**Objective:** The participants will participate in an activity to become more familiar with the workshop learning objectives and identify their training needs.

**Directions:**

1. Participants within table groups will write down one or two items concerning this question: **Upon leaving this workshop, I want to know the following about Adoption.** (three minutes)
2. Participants are asked to decide on one or two group responses.
3. The trainer will ask volunteers to recite or post group responses. (This could be done in a "round robin" fashion with no repeated responses. If the item will be addressed during the training, it can be posted (or noted). If it will not be addressed, then it can be placed in the Parking Lot.

**Trainer Note:**

Trainer could also note at which section the question (or information from Strengths and Needs Plan) will be addressed with the content of the workshop.

4. Collect each participant's Strengths and Needs Plan for later review.

**Trainer Note:**

The Strengths and Needs Plan is a portion of the OTRM.

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## **SECTION I The Legal Process**

**Learning Objectives:** Participants will be able to:

- identify the legal steps of adoption from goal change to finalization.
- recognize the role of the court in the adoption process.
- discuss the importance of documentation in preparing a case for goal change and freeing a child for adoption.

**Time: 60 minutes**

A. Introduction / Selection	1 minute
B. Summary of the Legal Steps	4 minutes
C. Overview of the Court System	10 minutes
D. Description of the Legal Steps (1-2)	15 minutes
Exercise #1: Looking for Father	15 minutes
Description of the Legal Steps (3-8)	10 minutes
E. Closing Points	5 minutes

**Handouts:**

- Handout #1, *“Aggravated Circumstances”*
- Handout #2, *“Legal Steps in the Adoption Process”*
- Handout #3, *“Grounds for Termination of Parental Rights”*
- Handout #4, *“Looking for Father”*

**Overheads:**

- Overhead #1, *“Aggravated Circumstances”*
- Overhead #2, *“Legal Steps in the Adoption Process(1-2)”*
- Overhead #3, *“Looking for Father”*

**Materials:**

- Flip chart and markers
- Overhead projector
- Script #1(2 copies)

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## Section I The Legal Process

### **A. Introduction**

1. Use your own ideas for introducing the first section of the workshop. Suggestions include:
  - a. Poem
  - b. Success story
  - c. Article
2. This poem will serve to focus participants on the need to understand best practice with permanency planning. Best practice involves understanding the legal steps involved.

### **B. Summary of the Legal Steps:**

1. Adoption as a legal term:
  - a. permits certain entitlement to participants:
    - ❖ inheritance
    - ❖ name designation
    - ❖ parental rights
  - b. for child welfare system:
    - ❖ steps that begin at goal change hearing and end at finalization
2. Steps:
  - a. Goal Change Hearing
  - b. Relinquishment and Termination of Parental Rights
  - c. Pre-placement Report
  - d. Report of Intent to Adopt
  - e. Intermediary Report
  - f. Custodial Agency Consent to Adoption
  - g. Petition for Adoption
  - h. Adoption Finalization Hearing

**Trainer Note:**

The legal procedures will vary from county to county. If possible, it is helpful to consult the local county adoption supervisors prior to the workshop for clarification on local procedures.

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## C. Overview of the Court System

### 1. In Pennsylvania:

- a. Juvenile Court decides whether the welfare of a child should be dependent upon the court and if placement goal should be adoption.
- b. Orphan's Court decides whether parental rights should be terminated and if adoption should be finalized.
- c. In some counties, the practice is to combine the termination of parental rights and goal change hearings into one hearing.

### 2. Once court decides to approve child's removal from home:

- a. Worker reports to the court any progress made on providing services outlined in the family service plan.
- b. Reports are made at six month intervals.
- c. Reports contribute to court's decision as to appropriateness of child placement goal:
  - ❖ return home
  - ❖ placed in home of another relative
  - ❖ be adopted
  - ❖ placed with a legal guardian
  - ❖ long-term foster care(**Note:** this is no longer a standing option)
    - ASFA requires that the work a family and the child welfare agency engage in to resolve family issues that are preventing reunification of a child to his or her family occur in a timely manner. If a child has been in placement 15 out of the most recent 22 months, child welfare agencies **must** file a petition to terminate parental rights before the end of the 15<sup>th</sup> month. There are only three exceptions to this requirement, which the court must approve as exceptions to providing services to the family:
      - The child is living with a relative and the court has decided that this is the child's permanent goal and TPR is not necessary.
      - The services outlined in the permanency plan were not provided to the family
      - The county agency has documented a compelling reason why it would not be in the best interest of the child to file the petition. If an agency is planning to submit a compelling reason to the court so that a TPR petition does not have to be filed, it may be submitted at the 12 month permanency hearing. If the agency does not have an exception before the end of the 15<sup>th</sup> month, the agency must file the TPR petition.

#### **NOTE:**

With the passing of the Adoption and Safe Families Act, implemented by amendments to the Juvenile Act, if **aggravated circumstances** are accepted by the court **than 2 a & b are not needed**. . (ASFA) adds a provision to "reasonable efforts" requirement by stating that there are certain circumstances under which "reasonable efforts" to reunite a family may not be necessary. These circumstances have been defined as "aggravated circumstances". An aggravated circumstance exists when:

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- A situation is so egregious that a child's safety may be in serious jeopardy, and even with services, it is unlikely that safety can be assured.
- OR
- A situation has occurred in which a child has been subjected to such egregious circumstances that reunification of the child with his or her family should not occur.

### **Five Aggravated Circumstances Identified by Pennsylvania:(these are outlined in Handout #1, *Aggravated Circumstances* and on Overhead #1, "*Aggravated Circumstances*".**

#### **1. A child is abandoned**

A child is considered to be abandoned in the following two circumstances:

- The identity or whereabouts of the parents is unknown and cannot be ascertained and the parent does not claim the child within three months of the date the child was taken into custody  
Explanation: It is incumbent upon the child welfare agency to ascertain the identity or whereabouts of the parents through such means as the County Assistance Office, the Bureau of Motor Vehicles, the Social Security Administration, and other local contacts that can help in obtaining information on missing persons such as the police, school records etc. Agencies have access to the Federal Parent Locator Service to request the following information: parent's social security number and address/location; employer's name and address; the parent's wages and benefits.
- The identity or whereabouts of the parent *are known*; however the parents have failed to maintain substantial and continuing contact with the child for a period of six months  
Explanation: The focus of assessing "substantial and continuing" contact is parental intent, not hard and fast rules. An agency is to consider "substantial contact" within the circumstances and abilities of the parent. The "extent", "quality" and "affect" of contact upon the child must be considered by the agency. In considering "continuing contact", the type, pattern and frequency of contacts should be considered.

#### **2. The child or a sibling of the child has been subject to serious bodily injury, sexual violence or aggravated physical neglect**

Serious Bodily Injury is defined in the same way as it is in the Child Protective Services Law (CPSL): "Bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of function of any bodily member or organ." A conviction is *not required* for aggravated circumstances based on serious bodily injury.

Sexual Violence includes rape or indecent contact as defined in the Crimes Code § 3101, incest or using, causing, permitting, persuading or coercing the child to engage in a prohibited sexual act as defined in the Crimes Code § 6312 (a) or a simulation of a prohibited sexual act for the purpose of photographing, videotaping, epciting on computer or filming involving the child. A conviction is *not required* for aggravated

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circumstances based on sexual violence. The definition for Sexual Abuse in the CPSL is broader than the definition for Sexual Violence in that the CPSL definition of sexual abuse includes sexual exploitation. Sexual Exploitation is not included in the definition of aggravated circumstances.

Aggravated Physical Neglect: Any omission in the care of a child which results in a life-threatening condition or seriously impairs the child's functioning. A conviction is ***not required*** for aggravated circumstances based on aggravated physical neglect.

3. **The parent of the child has been convicted of certain crimes where the victim was a child**

The following crimes have been identified to meet aggravated circumstances:

- Criminal homicide
- A felony relating to aggravated assault, relating to rape, relating to statutory sexual assault, relating to involuntary deviate sexual intercourse, relating to sexual assault, relating to aggravated indecent assault
- A misdemeanor relating to indecent assault
- An equivalent crime in another jurisdiction

The crimes as listed above could involve any child and could be committed in Pennsylvania or any other jurisdiction. Agencies must access Criminal History information if a crime is alleged.

4. **The parent of the child attempted, solicited or conspired to commit the above crimes**

Aggravated circumstances exist if the parent of the child has been ***convicted*** for having attempted to solicit or conspire to commit an of the offenses referenced above either in Pennsylvania or another jurisdiction.

5. **Parental rights to another child of the parent were involuntarily terminated**

The termination of parental rights to another child must have been involuntary terminated to qualify under aggravated circumstances. There is no time limit on when the parental rights to the other child were terminated.

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## D. Description of the Legal Steps

### **Trainer Note:**

The first two Steps (1.Goal Change Hearing, and 2. Relinquishment and Termination of Parental Rights) will be emphasized, as these are important to all caseworkers because of the documentation process. The other six steps will be briefly discussed.

Distribute **Handout #2, “Legal Steps in the Adoption Process.”** Tell the participants that they may use this handout for taking notes. **Overhead #2 “Legal Steps in the Adoption Process”**, or a listing of the steps on a flip chart page, may also be used when describing the legal steps.

1. Goal Change Hearing
  - a. The worker must develop the case throughout the goal change process so that the goal change supports the child's best interest.
  - b. If appropriate, documentation is presented to the court as the basis for a goal change to adoption.
  - c. If the goal is changed to adoption, birth parents retain the right to visit their children unless those rights have been suspended by the court.
  - d. Goal change hearing affords agencies the right and obligation to file the Petition to Terminate Parental Rights (if it is necessary).
2. Relinquishment and Termination of Parental Rights

### **Trainer Note:**

Emphasize that children may be freed for adoption by their parents or by the court. When a parent relinquishes rights voluntarily, it is called *relinquishment of parental rights*. When the court steps in and frees the child without parental involvement, it is called *termination of parental rights*.

- a. **Relinquishment of Parental Rights:**
  - (1) **Voluntary Relinquishment Petition**
    - (a) Notice must be sent to the birth parents including both the presumptive and legal fathers. (Unknown does not mean unasked.)
    - (b) In order for petition to be acted upon, the relinquishing birth parents must appear at the hearing.
    - (c) The court has the option of asking the parents if they have received counseling from a qualified agency or individual - if not, court may refer before deciding on the outcome of petition.
    - (d) Parents may revoke interest in voluntary relinquishment by not appearing at hearing or by putting revocation in writing to the custodial agency.

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- (e) Agency joins in parent's petition and agrees to assume custody until adoption is finalized.

**Trainer Note:**

Remind participants that the rights of each parent must be terminated, and each procedure must be viewed separately but should proceed simultaneously.

(2) **Petition to Confirm Consent**

- (a) An alternative procedure to voluntary relinquishment.
- (b) It is used to terminate parental rights if the parents are unwilling or unable to appear at the relinquishment hearing.
- (c) Parents must first sign a consent.
- (d) Agency files the Petition with the signed parental consent.
- (e) Hearing is then held on the Petition. If court is satisfied with the testimony given, relinquishment will be granted.
- (f) Parents need not appear at this hearing.

b. **Termination of Parental Rights:**

(1) **Petition for Involuntary Termination**

**Trainer Note:**

Emphasize point's c and d below. Any worker involved with a family may be required to testify in court. It is imperative that workers, from the point of intake, maintain detailed records at all times. Exercise following this information will address the importance of proper documentation.

- (a) There is only one way to terminate parental rights - through this petition.
- (b) The court takes the request to terminate parental rights very seriously.
- (c) **The caseworker must make reasonable efforts to reunify the family and agency service plans must clearly reflect the reunification plan. (Unless aggravated circumstance have been petitioned to the court and the court finds that no reasonable efforts to reunify will be made.)**
- (d) **The worker must document these reunification efforts in the record from the point of the initial contact with family. (i.e. diligent search)ASFA(Federal Law) encourages the use of concurrent planning in a effort to expedite permanence. With concurrent planning it is crucial that at the time of placement an accurate assessment of the family's strengths and weakness be made. This assessment is essential to determining what services are needed. Documentation is a critical element in this process. The agency starts to build its case from day one by carefully documenting what is**

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**transpiring in the case. This documentation could become the legal basis for a court action as a petition to terminate parental rights.**

- (e) The Petition must clearly state the grounds that support the decision to terminate parental rights.
- (f) Testimony must reflect the reunification services that the worker offered to the family - and the extent to which the family used these services.
- (g) The legal resources of the agency should be utilized in preparation for this hearing.

### **Trainer Note:**

Involuntary Termination of Parental Rights is governed by 23 Pa. C.S. 2511. Under this statute, there are eight grounds for termination. Pass out handout # 2. Refer to this handout during discussion and highlight some of the grounds more commonly used by Children and Youth cases - #1, #2, #5, and #8. At some point, the last paragraph should be emphasized.

### **C. Grounds for the Involuntary Termination of Parental Rights:**

- (1) The parent has evidenced a settled purpose of relinquishing parental claim to the child, or has refused or failed to perform parental duties for a period of six months immediately preceding the filing the petition.
- (2) The repeated and continued incapacity, abuse, neglect, or refusal of the parent has caused the child to be without essential parental care, control, or subsistence necessary for the child's physical or mental well-being. The conditions or causes of the incapacity, abuse, neglect, or refusal cannot or will not be remedied by the parent.
- (3) The parent is the presumptive, but not the natural parent of the child.
- (4) The child in custody of an agency, having been found under the circumstances that the identity or whereabouts of the parents are unknown and cannot be ascertained by diligent search. The parents have not claimed the child within three months after the child was found.
- (5) **The child has been removed from the care of its parents by the court or under a voluntary agreement with an agency for a period of at least six months. The conditions which led to the removal or placement of the child continue, and the parents cannot, or will not remedy those conditions within a reasonable period of time, and termination would best serve the needs and welfare of the child.**
- (6) In the case of a newborn child, the mother/father knows or has reason to know of the child's birth, does not reside with the child, has not married the child's other parent, has failed for a period of four months immediately preceding the filing of the petition to make reasonable efforts to maintain substantial and continuing

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contact with the child, and has failed during the same four-month period, to provide substantial financial support for the child.

- (7) The father is the father of a child who was conceived as a result of rape or incest. (Incest was added, April 1996)
- (8) **The child has been removed from the care of the parent by the court or under a voluntary agreement with an agency, twelve months or more have lapsed from the date of the removal or placement, the conditions which led to the removal or placement of the child continue to exist, and termination of parental rights would best serve the needs and welfare of the child. (Amendment effective, February 1996)**

**The Adoption and Safe Families Act was signed into law on November 19, 1997 by President Clinton.** ASFA, implemented by amendments to the Juvenile Act, requires that the work a family and the child welfare agency engage in to resolve family issues that are preventing reunification of a child to his or her family occur in a timely manner. If a child has been in placement 15 out of the most recent 22 months, child welfare agencies *must* file a petition to terminate parental rights before the end of the 15<sup>th</sup> month. There are only three exceptions to this requirement, which the court must approve as exceptions to providing services to the family:

- The child is living with a relative and the court has decided that this is the child's permanent goal and TPR is not necessary.
- The services outlined in the permanency plan were not provided to the family
- The county agency has documented a compelling reason why it would not be in the best interest of the child to file the petition. If an agency is planning to submit a compelling reason to the court so that a TPR petition does not have to be filed, it may be submitted at the 12 month permanency hearing. If the agency does not have an exception before the end of the 15<sup>th</sup> month, the agency must file the TPR petition.

Agencies are also required to file petitions to terminate parental rights for those children who entered care on or before November 19, 1997 according to a phase-in schedule specified in the legislation.

The following statement directs the judge to consider the needs and welfare of the child before terminating parental rights. It stands apart from the other grounds and explicitly forbids terminating rights solely on the basis of the circumstance of poverty.

**The court, in terminating the rights of the parent, shall give primary consideration to the needs and welfare of the child. The rights of the parent shall not be terminated solely on the basis of environmental factors such as inadequate housing, furnishings, income, clothing, and medical care if found to be beyond the control of the parent.**

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With the passing of ASFA, implemented by amendments to the Juvenile Act, aggravated circumstances exist under the guidelines of HB 1897 in that:

- a. the child has been abandoned
- b. the child has been subject to serious bodily injury, sexual violence or aggravated physical neglect; the parent of the child has been convicted of certain crimes against a child (no matter what jurisdiction the parent was convicted in)
- c. the parent of the child has been convicted of attempting, soliciting or conspiring to commit certain crimes against a child (no matter what jurisdiction the parent was convicted in)
- d. the parental rights to another child of the parent were involuntarily terminated.

In these situations, *aggravated circumstances* are reasonably believed to exist. In these situations, a petition must be filed requesting a judicial finding whether or not aggravated circumstances exist. If aggravated circumstances exist, then a judicial determination is made to determine whether or not reasonable efforts will be made to reunify a family. While the child welfare agency is required to file the petition that alleges that aggravated circumstances exist; it is the decision of the court as to whether or not reunification services should still be provided or if an alternative goal should be selected for the child. This petition is filed in Juvenile Court.

### **Exercise #1: Looking for Father (15 minutes)**

**Objective:** Participants will list specific kinds of good documentation needed to support a goal change or the process of freeing a child for adoption.

#### **Directions:**

1. Choose three volunteers for this exercise.
2. Distribute the script to two volunteers and ask them to read the parts aloud to the entire group.
3. Ask one of the readers to also read the background information.
4. Ask the large group to identify which details of the visit that needs to be recorded. (Spontaneously report)
5. A third volunteer will write the responses from the group on a flip chart page.
6. Highlight any points not identified by the group.
7. Pass out **Handout #4, “Looking for Father”** and discuss if necessary.

**Emphasize:** (Trainer should ensure that the following points are covered)

1. Even though script represents a brief encounter, the importance of a detailed account of the visit in the record must be respected by the worker.
2. The quality of the documentation is critical to the decision-making process.
3. A description of this very encounter may be the piece of information the court needs to make the decision to terminate the father's rights.

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### **Trainer Note:**

Distribute **Handout #4, “Looking for Father”** after responses have been listed. **Overhead #3, Looking for Father,** may also be used or information may be listed on a flip chart.

## **D. Description of the Legal Steps, continued (from page 2)**

3. Pre-Placement Report
  - a. Based upon the family profile.
  - b. Filed with the Intent to Adopt.
4. Intent to Adopt
  - a. Notifies the court that the family intends to adopt a particular child or children.
  - b. Intent should be filed within 30 days after child is placed for adoption.
5. Report of the Intermediary
  - a. Intermediary is the person or agency responsible for arranging the placement of the child with the adoptive family.
  - b. The agency worker prepares the Report of the Intermediary to inform the court of:
    - (1) the identity of the intermediary.
    - (2) the intermediary's role in the placement.
    - (3) the facts about the child.
    - (4) the child's birth family and adoptive family.
6. Custodial Agency Consent
  - a. Custodial agency has to consent to the adoption.
  - b. If the agency agrees to the adoption, the consent is signed by the custodial agency representative and filed with the court.
7. Adoption Petition:
  - a. The document that is filed by the adopting parents.
  - b. Requests that the adoption be approved by the court.
8. Adoption Finalization Hearing
  - a. After petition is filed, a hearing is scheduled for the court to review the petition and approve or disapprove the petitioner's request to adopt.
  - b. The child must be present at the hearing.

## **E. Closing Points:**

1. It is of utmost importance that all child welfare workers know the legal steps of the adoption process so that the required activities in the adoption of special needs children are clear.
2. The worker does not have to be an expert in the legalities of adoption (lawyer's role).
3. The worker does need to be familiar with:
  - a. the role of the court
  - b. the legal steps

## **CORE 105 Adoption**

- c. the means of freeing children
  - d. the grounds for termination
  - e. what constitutes good, thorough documentation
  - f. The Adoption and Safe Families Act of 1997, implemented by amendments to the Juvenile Act.
4. Good thorough documentation is essential to expeditiously move an adoption case to finalization. This documentation needs to begin at the time of placement and transcend with the family as they move through the process covering the placement as well as the permanency plan for the child.

**Trainer Note:**

Use any remaining time to answer questions.

### **SECTION II**

## **Understanding the Values and Philosophy of Adoption**

**Learning Objectives:** Participants will be able to:

- discuss how to recognize and prevent inappropriate assumptions from turning into adoption practice.
- identify the standards and values that are generally embraced by adoption professionals
- recognize and discuss the history of adoption practice and how it relates in shaping good adoption practice in child welfare.

**Time: 90 minutes**

A.	Assumptions and Beliefs	5 minutes
	Exercise #2: Values: Identifying Assumptions	20 minutes
B.	Video: Orphan Train	20 minutes
	History	5 minutes
C.	Definition of Adoption / Standards / Values	5 minutes
	Exercise #3: Child-focused Values	20 minutes
D.	Public Law 96-272	5 minutes
E.	Current Trends	9 minutes
F.	Closing Points	1 minute

**Handouts:**

- Handout #5, *“Adoption Values: Child Welfare Community in Pennsylvania”*
- Handout #6, *“Adoptions in U.S.A. – TIME LINE -*
- Handout #7, *“Multiethnic Placement Act of 1994: Part E- Multiethnic Placement (2 pages)*

**Overheads:**

- Overhead #4, *“Directions: Values Identifying Assumptions*
- Overhead #5, *“Assumptions”*
- Overhead #6, *“Legal Definition of Adoption”*
- Overhead #7, *“Child Welfare League of America: VALUES”*
- Overhead #8, *“ADOPTION VALUES: Child Welfare Community in PA”*
- Overhead #9, *“Directions: Child-Focused Values and Good Practice”*
- Overhead #10, *“The Intent of P.L. 96-272 is to”*
- Overhead #11, *“Current Trends: Best Practice Today*

## **CORE 105 Adoption**

### **Materials:**

- Flip chart
- Markers
- Overhead projector
- VCR / TV monitor
- Video (Orphan Train)
- Tape

# **CORE 105 Adoption**

## **A. Assumptions:**

1. Individuals differ in assumptions about adoption.
2. Most people have developed assumptions that reflect societal responses and emotional reactions.

### **Exercise #2: Values: Identifying Assumptions** (20 minutes)

**Objective:** Participants will be challenged to identify whether assumptions about adoption contribute to decision making that might not be in the best interest of children.

#### **Directions:**

1. Count off by fours. Have all the "ones" together in a designated area, then "two's," etc. (or use any alternative grouping method).
2. Have groups choose two volunteers: a scribe who will obtain flip chart paper strips for the exercise, and a reporter.
3. In small groups, ask participants to: (Overhead #4, "***Directions: Values Identifying Assumptions***")
  - a. identify at least two common beliefs and assumptions that they have heard about adoption from relatives, friends, TV, radio, newspaper, etc. (Give examples)
  - b. examine their lists and identify how these beliefs / assumptions can turn into values that limit and prevent making adoptive placements. (Give examples)
4. Instruct the scribe to write beliefs with one color marker, and the corresponding effects on practice under the belief with another color marker on each strip of paper.
5. Allow ten minutes for this portion of the exercise.
6. The strips will be posted on designated wall space.
7. The reporter will offer the findings from the group.

#### **Trainer Notes**

Instruct participants to not repeat information.

8. Following feedback from the large group, the lists may be supplemented with information from (Overhead #5, "***Assumptions***") in order to challenge beliefs that were not listed by the participants.

#### **Trainer Note:**

Reemphasize that workers who harbor negative assumptions about adoption make the decision-making process from goal change to finalization slow and needlessly difficult. This results in decisions which may not be in the best interest of the child.

## **CORE 105 Adoption**

### **B. History**

The history of adoption plays a significant role in defining adoption as it is practiced today.

**Trainer Note:**

Make a few comments about how adoption trains fit into the historical background of adoption. Refer to **Handout #5 – “Adoptions in U.S.A. -Time Line”**-.

### **Video Clip: Orphan Train (20 minutes)**

**Objective:** Participants will observe a video concerning the seventy-five-year practice of moving children of the poor and immigrants to the Mid-West where children were placed in uninvestigated homes.

**Directions:**

1. Introduce video with a few comments about orphan trains.
2. After video clip, allow participants to offer reactive comments.

**Trainer Note:**

Refer to **Handout #6 – “Adoptions in U.S.A. -Time Line-** after viewing video. Make a few transitory comments about the history of adoption and how it relates to values.

### **C. Definition of Adoption / Standards / Values**

1. Definition: Adoption service is a child welfare service, provided by the community, state, or province through an authorized child welfare agency, for the children who cannot be cared for by their birth parents and who need and can benefit from new and permanent family ties established through legal adoption. (Child Welfare League of America Standards for Adoption Service, Revised 1988).

**Trainer Note:**

Overhead #6, “*Legal Definition of Adoption*” may be used when quoting definition. Overhead #7, “*Child Welfare League of America: VALUES*” may be used when discussing the four values. The trainer should not read the information, but state in own words

## CORE 105 Adoption

2. Four Values: The Child Welfare League of America Standards for Adoption Service cites four values underlying adoption service:
  - a. Rights of the Child

"It is every child's right to receive love, protection, and the kind of care that meets his needs which he would ordinarily be expected to receive from his parents. The family, the community agencies, and the states have responsibilities related to the assurance of this right."
  - b. Importance of Family Life

"Family life, coupled with satisfactory relationships between parents and child, creates the natural setting in which wholesome personality development of children takes place."
  - c. Preservation of the Biological Family

"The biological family of father, mother, and their children constitutes the natural means of providing family life for children, and should be fostered and preserved whenever possible. No child should be deprived of care by his birth parents except when it is in his best interest."
  - d. Social Responsibility for Children

"Children whose parents are either absent or unable to function as parents require protection. Because the child is unable to care for himself or look out for his own interests, society, through organized agencies, must assume responsibility for the child's care and protection. Adoption therefore should not be a private matter."
3. The League's standards emphasize:
  - a. the birth family should be respected and preserved whenever possible.
  - b. family life is necessary for a child's healthy growth and development.
  - c. it is a public responsibility to provide healthy family life for a child whose birth family cannot be preserved.
4. Adoption becomes a means to meet the standards. It should be *expeditiously pursued* to assure that a child grows and develops in an environment that offers love and protection, and meets his or her needs for as long as possible during the growing years. The intent of ASFA, implemented by amendments to the Juvenile Act, is to re-emphasize the priorities for children in the child welfare system based on *safety, permanency, and well-being* for all children. Within that intent, there is a renewed focus upon the need for *timeliness* by child welfare agencies in achieving permanence for all children. The law reaffirms the commitment to preserve families whenever safety can be assured within a timely manner. If safety and family preservation can not be achieved within a timely manner however, the law requires that agencies pursue other permanency options.

## **CORE 105 Adoption**

### **Trainer Note:**

Post information on a flip chart page or use Overhead #8, “***ADOPTION VALUES: Child Welfare Community in PA***” when discussing Pennsylvania Child Welfare Adoption Values.

5. Adoption Values Generally Embraced by the Professional Child Welfare Community in Pennsylvania:
  - a. All children should have a permanent home.
  - b. Cultural continuity and identity should be preserved for all children.
  - c. Placement disruption should be minimized.
  - d. Services for all children in need of homes should be developed, strengthened and supported, including post-adoption services.
  - e. All children are adoptable.

### **✂ Trainer Note:**

For conserving time, the information from exercise #3 could be covered with a large group discussion of values. Use brainstorming technique for each value about why it is important and how it can be incorporated into practice. This takes approximately 10 minutes.

### **Exercise #3: Child-focused Values and Good Practice (20 minutes)**

**Objective:** Participants will identify child-focused professional values from the state of Pennsylvania that promote good, sound adoption practice.

#### **Directions:**

1. Have participants work in table groups. (five groups).
2. Each group will need a scribe (who will obtain the flip chart paper for recording) and a reporter.
3. Assign one of the Pennsylvania values of adoption practice to each group. Use **Overhead #8, *ADOPTION VALUES: Child Welfare Community in PA***”
4. Instruct the participants to discuss why the value is important and how it can be incorporated into practice.
5. The group scribe should write down the following: **Overhead # 9, “*Directions: Child-Focused Values and Good Practice*”**
  - a. Value
  - b. Why the philosophy is important.
  - c. Steps of how the value can be incorporated into practice.

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6. Allow ten minutes for this part of the exercise. Inform groups when two minutes are remaining.
7. The lists will be posted on designated wall space.
8. The reporter will present the information from the group.
9. Use other examples to supplement the responses from the group to encourage discussion within the larger group.

### **Trainer Note:**

If there are six groups, value #2 may be split into two parts with cultural continuity as one and identity as the other. Make sure that both groups are aware of which part of the value they are assigned.

## **D. Federal Legislation**

- During the fifties, the child welfare system took a closer look at the plight of its children. As a result of research, the system realized that it was the right of every child to have a permanent family. During this period, the standards of best adoption practice were institutionalized.
- This early research led to:  
Permanency Planning Movement in the '70s.  
Public Law 96-272, Adoption Assistance and Child Welfare Act of 1980.
  1. Designed to prevent children from "drifting" in the foster care system.
    - a. Governs Child Welfare practice by mandating specific procedures that guide both the choice of placement for a child who must be removed from his or her family and the reunification process.
    - b. Assures that adoptive homes or other alternative permanent placements are promptly identified for children who cannot be returned to their families.
  2. Provision of federal financial and medical assistance to cover special needs children. (Currently known as *subsidized adoption* - may include a per diem rate and/or medical assistance and/or non-recurring expenses such as legal fees).
  3. Today, every state has its own laws and regulations regarding adoption.
    - a. In November of 1997, President Clinton signed The Adoption and Safe families act into law. ASFA, implemented by amendments to the Juvenile Act, specifically states that if family reunification cannot occur within a designated timeframe, then under most circumstances, an agency must petition the court to terminate parental rights. This is being referred to as the "15 out of 22 month rule." The rationale behind this rule is that it is not in the best interest of children to remain in foster care indefinitely, and that a parent's right to receive services must also be balanced with a child's right to a safe and permanent home.

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### **Trainer Note:**

Information on a flip chart page or **Overhead #10a, *The Intent of P.L. 96-272 is to,*** may be used to emphasize the intentions of P.L. 96-272. **Overhead #10b, *The Intent of ASFA,*** is to be used to compliment the above information.

### **E. Current Trends**

- Values that evolved in the climate for reform have developed the best practice of adoption as it is practiced today.
- Agencies now approach adoption with the attitude that *every child is adoptable* regardless of age, race, and gender, physical or emotional needs.

### **Trainer Note:**

Post information on a flip chart or use **Overhead #11, *Current Trends: Best Practice Today,*** when discussing current trends. Participants will receive a copy of MEPA, **Handout #7, *Multiethnic Placement Act of 1994: Part E Multiethnic Placement*** (2 pages).

1. *Special family-recruitment programs:* Some states have developed programs to recruit appropriate families that will adopt the children in foster care who are free for adoption. (One Church One Child - example)
2. *At-risk or legal-risk placement:* Allows children to be placed into families who will adopt them once the termination of parental rights takes place.
3. *Kinship or Relative-adoption:* Many relatives may also adopt.
4. Foster-parent adoption: Many foster parents are now adopting the children in their care.
5. *Open adoption:* Allows the child to preserve an identity with the biological family by encouraging adoptees, birth parents, and adoptive parents to maintain some degree of social relationship with one another throughout and after the adoption. (In Pennsylvania, open adoption arrangements are voluntary and very much a reality for older children for whom adoption becomes a goal.)
6. **Pre-adoption and Post-adoption Services:** In keeping with the philosophies that adoption is a lifelong process as well as family life is important for positive growth and development, these services are offered by many agencies.



### **Trainer Note:**

Present the following information about adoption services if time permits. (a, b, c)

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- a. Pre-adoption services include:
    - (1) family orientation
    - (2) training
    - (3) home study
    - (4) placement
    - (5) placement supervision
  - b. Post-adoption services include:
    - (1) counseling
    - (2) therapy
    - (3) search and reunion services (for adults who contact the courts and agencies to seek information regarding their biological histories.)
  - c. Post-adoption services help children and adoptive parents maintain cultural traditions and cope with the distinct differences of being an adoptive family. (Available to families at any time following finalization.)
7. **MEPA, "The Multiethnic Placement Act of 1994"**
- a. On October 20, 1994, President Bill Clinton signed the "Improving America's Schools's Act of 1994, Public Law 103-362" which includes Subpart 551, "The Multiethnic Placement Act of 1994." Amended by OCYF 3140-98-03
  - b. Purposes of MEPA are to promote the best interest of children by:
    - (1) decreasing the amount of time they wait to be adopted.
    - (2) preventing discrimination in the placement of children on the basis of race, color, or national origin.
    - (3) facilitating the identification and recruitment of foster and adoptive families that can meet children's needs.
  - c. The law prohibits agencies that receive federal assistance and are involved in the adoptive placement or foster placement of children from denying any person the opportunity to become an adoptive parent on the basis of their race, color, or national origin.
  - d. Agencies may consider the cultural, ethnic, or racial background of the child and the capacity of the prospective foster or adoptive parent to meet the needs of a child of such background as one of a number of factors used to determine the best interest of the child, but they may not "categorically deny any person the opportunity to become an adoptive or a foster parent solely on the basis of race, color or "national origin". (See OYCF 3140-98-03)

**Trainer Note:**

The practice issues raised for the county caseworker as a result of this law (MEPA) are too numerous to examine during this training.

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### **F. Closing Points:**

1. The decisions that are made when planning the steps from goal change to finalization are some of the most difficult decisions made in child welfare work.
2. These decisions must constantly be evaluated by carefully examining personal views and assumptions as much as possible by remaining focused on the standards for good practice and the child's needs.
3. Every child is adoptable.

# **SECTION III**

## **Options Used in Decision-Making for Permanency Planning**

**Learning Objectives:** Participants will be able to:

- decisions that child welfare staff must make in planning permanence for children.
- identify the various options and choices within the continuum of child welfare services, and will specifically note how adoption fits into those decisions.

**Time:** 75 minutes

A.	Review Exercise #4: Quiz	5 minutes
B.	Permanency Planning / Options	15 minutes
C.	Decision-Making Exercise #5: Decision-Making	5 minutes 20 minutes
D.	Goal Changing / Factors Exercise #6: Brainstorm Exercise #7: Case Goals	3 minute 5 minutes 20 minutes
E.	Closing Points	2 minutes

**Handouts:**

- Handout # 8, "*True-False*"
- Handout # 9, "*Options Used in Decision-Making for Permanency Planning*" (2 pages)
- Handout # 10, "*Factors to Review When Considering Changing the Goal to Adoption*"
- Handout # 11, "*Case Goal Activity #1*"
- Handout # 12, "*Case Goal Activity #2*"

**Overheads:**

- Overhead # 12, "*True-False*"
- Overhead # 13 "*Options Used in Decision-Making for Permanency Planning*"
- Overhead # 14, "*Directions Case Goals*"

**Materials:**

- Flip chart and markers
- Overhead projector
- Scripts #2 and #3

## **CORE 105 Adoption**

### **A. Review (5 minutes)**

#### **Exercise #4:**

#### **Objective:**

Participants will answer true and false questions that will allow them to review key information from the first two sections of curriculum. This information will also serve as a transition for starting the new section.

#### **Directions:**

1. Distribute **Handout #8, “True-False”** to each participant.
2. Announce that participants may exchange answers in table groups.
3. Give four minutes for quiz. Let participants know when there is one minute left.
4. Use **Overhead # 12, “True-False,”** when reviewing answers to quiz. (Use only one minute to announce answers).

#### **Trainer Note:**

For transitional purposes, emphasize that the overall aim of the P.L. 96-272 was to assure that children would live in permanent families. The overall aim of ASFA is to ensure the safety, well-being and permanence for a child in a timely manner.

### **B. Permanency Planning / Options**

1. When the agency decides to accept a child and family at intake, it is the responsibility of the agency to begin planning for permanence for children.
2. When placement is necessary, the agency is required to involve the family in the development of an amendment to the Family Service Plan that outlines specific steps to achieve the goal of permanence for each child.

#### **Trainer Note:**

Handout # 9, “*Options Used in Decision-Making for Permanency Planning*” (2 pages) will be distributed at this point. Overhead # 13 “*Options Used in Decision-Making for Permanency Planning*” or information on a flip chart page can be used while going over the information about the options in detail.

3. The options available for deciding a goal for permanency include:
  - a. Reunification
  - b. Adoption
    - b(1) Foster / Adopt

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- c. Kinship Care
- d. Permanent legal custodianship
- e. Another permanent placement approved by the court

**Note: Long term Foster care may not be used** with older children who were in care prior to ASFA who are attached to their caretakers. If an older child is going to remain in foster care with their foster parents these should be examples of reasons. The child is refusing adoption and is fully aware of what it means; child was counseled; child has bonded with the foster parents; the goal may be another permanency placement approval by the court. One should try for permanent legal custodian first if not then another permanent placement. **It is not appropriate for young children.** This option is available on a limited basis with the implementation of ASFA, implemented by amendments to the Juvenile Act,. If this is to be the goal then a compelling reason must exist. All Children and Youth agencies in Pennsylvania have been given discretion to define what they believe to be compelling reasons why filling TPR petitions may not be in the best interest of the child. When planning to submit a compelling reason to the court for approval so that TPR petition does not have to be files, it may be submitted at the 12-month permanency hearing and must have court approval before the end of the 15<sup>th</sup> month.

### **C. Decision-Making**

1. There is not one point in a case where the decision to terminate parental rights just happens it occurs throughout the casework process. With the implementation of ASFA, implemented by amendments to the Juvenile Act, concurrent planning becomes a viable resource to this process. Concurrent planning suggests that at the same time an agency is making reasonable efforts to reunify a family, the agency should have a concurrent plan for another permanency option if in fact the parents do not make significant progress for reunification. This is done openly with the family so that they are aware of the process and the time frames that exist.

#### **Trainer Note:**

Remind participants that often children are placed in an emergency situation, sometimes at midnight that will require further decisions. Siblings are often split up. Cultural concerns of children and families need to be addressed.

**It is vitally import to make an accurate assessment of the children’s needs and match them with an appropriate placement as early as possible with the goal of making sure that permanence is achieved in a timely fashion.**

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Reasonable efforts must be made to reunify the family. **Prevention of children entering the placement system is the first priority.** Intensive family service programs have been implemented to provide this service. This is the primary goal unless “**aggravated circumstances**” exist. Aggravated circumstances are certain circumstances under which "reasonable efforts" to reunite a family may not be necessary. An aggravated circumstance exists when:

- A situation is so egregious that a child’s safety may be in serious jeopardy, and even with services, it is unlikely that safety can be assured.
- OR
- A situation has occurred in which a child has been subjected to such egregious circumstances that reunification of the child with his or her family should not occur.

There are five aggravated circumstances identified by Pennsylvania: (contained in Handout 9A, *Aggravated Circumstances-Crimes*.)

1. **A child is abandoned**
  2. **The child or a sibling of the child has been subject to serious bodily injury, sexual violence or aggravated physical neglect**
  3. **The parent of the child has been convicted of certain crimes in any jurisdiction where the victim was a child**
    - ❖ Criminal homicide
    - ❖ Felony under Aggravated Assault (18 Pa. C.S. 2702)
    - ❖ Felony under Rape (18 Pa. C.S. 3121)
    - ❖ Felony under Statutory Sexual Assault (18 Pa. C.S. 3122.1)
    - ❖ Felony under Involuntary Deviate Sexual Intercourse (18 Pa.C.S. 3123)
    - ❖ Felony under Sexual Assault (18 Pa. C.S. 3124.1)
    - ❖ Felony under Aggravated Indecent Assault (18 Pa.C.S. 3125)
    - ❖ Misdemeanor under Indecent Assault (18 Pa. C.S. 3126)
    - ❖ An equivalent crime in another jurisdiction.
    - ❖ The attempt, solicitation or conspiracy to commit any of these offenses.
  4. **The parent of the child attempted, solicited or conspired to commit the above crimes in any jurisdiction.**
  5. **Parental rights to another child of the parent were involuntarily terminated**
2. Each case with a child in out-of-home care is required to be reviewed by the court every **six months**. This hearing is now called the permanency hearing. Permanency hearings now replace what used to be referred to as “dispositional” hearings. At a permanency hearing, the court must determine or review the permanency plan of the child; the date when the goal of permanency for the child might be achieved; and whether the child’s placement continues to maintain the safety, protection and welfare of the child. Permanency hearings must be held when:
- There is an allegation of aggravated circumstances
  - Six months from when a child is removed from the home and every six months thereafter until permanency is achieved

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- Within 30 days when a permanency plan is incomplete or inconsistent with the court's determination
- Within 30 days of a petition alleging the hearing is necessary to protect the physical, mental or moral welfare of the child

The goal of permanency hearings is to determine permanency for the child by monitoring the progress of the case and to ensure that no child remain indefinitely in foster care, but rather, that a permanent living situation be obtained in a timely fashion. **Foster care is designed to be temporary in nature.**

3. Under the guidelines established for ASFA, implemented by amendments to the Juvenile Act, a decision must be made for permanency in a timely fashion. When a child is found to be dependent by the court, and aggravated circumstances do not exist, it is incumbent upon the Child Welfare agency to provide the necessary services to reunify the family. While reunification is the designated goal in these situations, families and agencies have a certain timeframe in which that goal must be achieved. Specifically, if a child has been in placement 15 out of the most recent 22 months, child welfare agencies are *required* to file a petition to terminate parental rights (before the end of the 15<sup>th</sup> month). At the time a TPR petition is filed, an agency must be prepared to present an alternative permanency plan for the child.
4. While a placement of any length may cause a child to feel that she is in limbo, long term placement may cause that limbo to last indefinitely, causing long term stress and trauma to the child. Consequently, the decision to place a child in a permanent placement is imperative. Permanency options must be explored and documented in the record and an explanation as to why those goals are not appropriate for this child.
5. When placement is necessary, it is vital to the growth and development of the child to experience an environment of belonging and permanency as quickly as possible. Ambiguity in the permanence of relationships contributes to uncertainty and insecurity resulting in numerous behavioral responses.
6. Good adoption practice is based on the philosophy that all children are adoptable. Making decisions about goal changes for children in placement is difficult.

# **CORE 105 Adoption**

## **Exercise #5: Decision-Making (20 minutes)**

### **Objective:**

Participants will be asked to make a decision for a plan for permanence for a child. In making the decision, participants will be asked to identify what factors were considered in making a goal change.

### **Trainer Note:**

Trainer will need to prepare the eight signs indicating options. (Reunification, Adoption, Foster/Adopt, Kinship care, Permanent legal custodianship, and Another permanent placement approved by the court.

### **Directions:**

1. Post the eight paper signs around the room.
2. Ask participants to stand in a group in the center or front of room.
3. Read first scenario (but do not read heading which contains the preferred decision) and ask participants to listen so that they will identify factors considered in deciding on a goal of permanency.
4. Read the first scenario again and then ask participants to individually decide on an option posted - and stand by the sign which represents decision.
5. Ask individuals about factors or reasons for decision.
6. Allow participants to change their position as others give reasons.
7. Repeat above directions for all scenarios, but have participants remain in place while reading new scenarios.

## **Scenarios for Exercise #5: Decision-Making**

### **I. (Adoption)**

Mr. and Mrs. Smith, 60 years old, have been foster parents of 2 1/2 year old Jerome since he was 12 months old. The conditions resulting in placement continue to exist. The Smiths have foster-parented a number of children throughout the past 25 years. Approximately 15 years ago, they adopted three of their foster children. These children are now in their late teens /early twenties; two of them graduated from high school. The other child quit school when she became pregnant. These children had a stormy adolescence due in part to the rigidity of their parents.

Jerome is healthy, but receives little to no stimulation in this home. It is only after reminders that the Smiths take Jerome to the doctor for his checkups and immunizations. He is often left to play alone with the TV on. Mr. Smith is on disability. Mrs. Smith spends much of her time sitting in the living room. Her health is ok. The Smith children are not a resource for Jerome. Jerome seems to have a warm affectionate relationship with both Mr. and Mrs. Smith.

What decision would you make? Why?

## **CORE 105 Adoption**

### **Trainer Note:**

Adoption is the preferred decision for the first scenario. Adoption doesn't mean that this family is the most suitable to adopt but that the goal should be adoption. Give participants reasons why. Even though participants might have thought out their decision with little information, they need to be given information on the preferred decision and why it is preferred. Remind them that they are part of a check and balance system (other agency personnel and the court) which assists with the decision making process.

## **II. (Permanent Legal Custodianship)**

Frank, age 14, has lived with his present caregivers, family friends for two years. Prior to that, he lived in four foster homes after entering the child welfare system when he was eight years old. All of his homes have been in the same city area in which he grew up. His mother is a drug addict. After three inpatient attempts at rehabilitation, she has entered a halfway house where she is reportedly doing well. She recently resumed visitations with Frank every other week.

Frank's father is a very passive individual who rents a room in a boarding house and sees Frank about every other month. Parental rights were terminated two years ago. Frank's caregivers do not want to adopt him, but have indicated an interest in caring for him until he is 18. An adoptive home in the country has been identified for him, but Frank is adamant that he does not want to be adopted. He wants to remain with his family.

What would you do? Why?

### **Trainer Note:**

Permanent legal custodianship is the preferred goal.

## **CORE 105 Adoption**

### **III. (Adoption)**

Two children, ages 2 1/2 and 18 months, were placed in foster care fifteen months ago due to the mother's homelessness which is continually caused by poor relationship choices. Medical neglect of the baby has also been documented. Family preservation services were offered prior to entering care. Since placement, reunification services were offered. Mother has visited sporadically.

Chyanne, 18 months old, has been in the same foster home placement with very good success and a strong attachment with her foster parents. Robert, age 2 1/2, has had three unsuccessful foster home placements in this same time period.

What would you do?            Why?

Trainer Note:

TPR would be required for this case under ASFA. Remind participants of the "15 out of 22 month" rule. This could also be an aggravated circumstance due to the 6 month abandonment.

### **IV. (Kinship Care)**

Krista, age 10 years, was placed in foster care when her father killed her mother in a violent rage. She loves her father and visits him regularly in prison. She also has regular visits with an older half-sibling (mother's child by another relationship). Both paternal and maternal grandmothers have said that Krista could come to live with them, but they do not wish to adopt her. Also, Krista and her father are opposed to adoption.

What decision should be made?            Why?

#### **Emphasize:**

1. Decision-making is a difficult process in providing child welfare services.
2. With the implementation of ASFA, implemented by amendments to the Juvenile Act, there are more guidelines that should help make the decisions easier. Documentation becomes important and a vital part in ensuring that permanence is achieved in a timely fashion. To make no decision is to make a decision to keep a child in limbo.
3. In making decisions, one needs to identify strengths and weaknesses, or pros and cons for the results of that decision for the child.
4. Also discuss with the family the availability of supports such as TANF and Medical Assistance

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## **D. Goal Changing / Factors**

1. It is difficult to make a goal-change decision under pressure.
2. There are many variables used in consideration of goal change to adoption.

**✂ Trainer Note:**

To conserve time, instead of using the following brainstorm exercise, this information could be reviewed and discussed while using Handout # 10, *“Factors to Review When Considering Changing the Goal to Adoption”*

### **Exercise #6: Brainstorm (5 minutes)**

**Objective:** Participants will brainstorm and offer variables that could be used in considering a goal change to adoption.

**Directions:**

1. Ask for a volunteer to write the group responses on a flip chart page.
2. Ask the group the following question: "What factors or variables could be used in considering a goal change to adoption?"
3. After each group has brainstormed and responses have been recorded, pass out Handout # 9, *“Factors to Review When Considering Changing the Goal to Adoption”* to each participant.
4. Instruct participants that they will use these variables in the next exercise consisting of two case studies.

### **Exercise #7: Case Goals (20 minutes)**

**Objective:** Participants will decide if the goal should be changed to adoption in a case scenario. They will defend their decision-making process and identify the factors they used in their considerations.

**Trainer Note:**

Refer back to the legal process.

**Directions:**

1. Divide participants into four groups.
2. Each group will appoint a scribe and a reporter.
3. Each scribe will keep notes of group responses.

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4. Handout#11, “*Case Goal Activity #1*” and Handout # 12, “*Case Goal Activity #2*” will be given to all participants.
5. Two (or more) groups will be designated to work on Case Scenario #1 and the other groups will work on Case Scenario #2.
6. Instructions will be posted on Overhead # 14, “*Directions Case Goals*” or on a flip chart page.
7. Information that needs to be recorded:
  - a. Should the goal be changed to adoption? (Defend decision)
  - b. Identify the factors used in consideration of goal. (Handout # 10, “*Factors to Review When Considering Changing the Goal to Adoption*”)
8. After ten minutes of brainstorming, one reporter will present the decision and the key factors identified to the large group.
9. **The reporter(s) of the group(s) working on the similar case will present any non-reported factors or different decision(s).**
10. Reporters of the second case scenario will present in same manner.

### **Trainer Note:**

These are actual cases (with names changed). Outcomes of these cases are listed in Appendix B.

### **Emphasize:**

1. Making decisions to assure permanence for children in placement in the child welfare system is difficult.
2. The decisions need to be expeditious so that the length of time a child is in "temporary" care is reduced, and the resultant trauma of loss is minimized. Remind participants that the intent of ASFA is to re-emphasize the priorities for children in the child welfare system based on *safety, permanency, and well-being* for all children. Within that intent, there is a renewed focus upon the need for *timeliness* by child welfare agencies in achieving permanence for all children. Timeliness must be considered from the child’s perspective

### **Trainer Note:**

The above information (emphasize) might be helpful to have posted on a flip chart page for reinforcement.

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### **E. Closing Points**

1. Adoption is lifelong. It is a family forever.
2. Children need to have a family they can view as their family when they are adults as well as when they are children.
3. Adoption provides stability for children rather than remaining in limbo in the foster care system.
4. 85% of adoptions are successful.
5. It is "ok" to have strong feelings about the issues involved, but be aware of our own values, biases, and attitudes in the decision making process.

# SECTION IV

## Role of the Caseworker in Adoption

**Learning Objectives:** Participants will be able to:

- define the role of caseworkers in the adoption process.
- consider the role of the worker and how it is interconnected to the permanency planning process.
- identify adoption work activities and services.

**Time:** 80 minutes

A.	Professional Roles	2 minutes
	Exercise #8: Identification of Tasks	5 minutes
B.	Interconnected Roles	2 minutes
	Exercise #9: String Activity	20 minutes
C.	Adoption Work Activities	10 minutes
D.	Picking the Adoptive Family	5 minutes
E.	Adoption Services	3 minutes
F.	Closing Points and Success Stories	8 minutes
	Exercise #10: Summarizing Activity	25 minutes

**Handouts:**

- Handout: #13, “*CORE 105-Adoption: What Have I Learned?*”

**Overheads:**

- Overhead #15, “*Adoption Activities*”
- Overhead #16, “*Elements of Successful Adoptive Families*”

**Materials:**

- Flip chart and markers
- Overhead projector
- Script #4
- Twenty Strings
- Activity Cards

# **CORE 105 Adoption**

## **A. Professional Roles**

1. The success of the adoption process is dependent upon all departments of the child welfare agency with each caseworker having a role in planning permanency for children.

### **Trainer Note:**

In many counties there are no separate departments and the caseworker plays a significant role in many aspects of the process.

2. Caseworkers are *not* expected to provide *all* services in planning for permanency, but their roles are integral in the ongoing process.
3. It is important that workers are aware of their professional responsibility within their roles.

### **Exercise #8: Identification of Tasks in Permanency Planning (5 minutes)**

**Objective:** Participants will increase their awareness of what they do in their professional child welfare tasks that connect to permanency planning.

#### **Directions:**

1. Choose a volunteer who will assist in writing participant responses on a flip chart page while the group is led in a large group brainstorming.
2. Trainer will encourage participants to spontaneously identify all of the tasks that they currently perform that connect to permanency planning. (Provide a few examples to start process.)

#### **Emphasize:**

1. Every child welfare professional connects in some task or role to permanency planning.
2. The following are important to best practice:
  - Good case documentation
  - communication and interview skills
  - decision-making skills
  - Family service plans (concurrent)
  - consistent value system

## **CORE 105 Adoption**

### **B. Interconnected Roles**

1. All agency personnel work interdependently even though their roles within the agency may seem very different and unrelated. It is a collaborative process with the client and family.
2. It is often through a lack of knowledge and understanding regarding interdependency and interconnectedness of roles that conflict and misunderstandings occur within any organization.
3. Everyone has a part in working together in the permanency planning process of a child's life.

#### **Exercise #9: Interconnected Roles (20 minutes)**

**Objective:** Participants will visualize the roles played within a child welfare agency and how everyone has a part in working together (interconnectedness) in the permanency planning process in a child's life.

#### **Directions:**

1. If possible, have all participants stand in a circle around four chairs.
2. Ask four participants to play family members indicated in the script. They will be seated in the four chairs facing each other.
3. As you read the script, assign roles (bolded) to participants and hand each a string. This will indicated various personnel and services provided.
4. Each string will attach to one (or more) of the family members or other professionals involved.
5. Request feedback of participants (while in roles and holding stings) and reactions of group.

#### **Emphasize:**

1. All roles are connected to each other because of the family.
2. The need to work together is important since everyone has a part in the lives of the children.

### **C. Adoption Work Activities**

1. After there is a goal change to adoption, there are many activities that are involved in an adoption caseworker's role.
2. All agency workers have a part in these activities since the events preceding (starting point) the goal change are as important as what happens after the goal change. Caseworkers and professionals are interconnected in providing permanency.

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### **Trainer Note:**

Transparency #15 or information on a flip chart page may be used to identify the five adoption activities. Discuss them briefly.

3. Activities:
  - a. **Child Profile**
    - (1) Develop a profile of the child based on information collected from the point of intake.
    - (2) Obtain information on and from birth parents that is related to child. (History)
  - b. **Termination of Parental Rights** (Involuntary or Voluntary)
    - (1) Relinquishment of parental rights and work with birth parents toward dissolution of family ties.
    - (2) Keep child informed of his or her status while the decision is being made.
  - c. **Preparation of the Child**
    - (1) Develop a lifebook which begins on the first day of a child's placement and establishes a history for the child to keep whether unified with family, placed in foster care, or adopted.

### **Trainer Note**

If time permits, trainer could display a sample of a lifebook.

- (2) Talking with children is important when consideration is being given to the goal change to adoption (specific to their developmental abilities in understanding the meaning of adoption).
- (3) Prepare for leaving and saying goodbye; clarifying thoughts and feelings concerning separation and loss.
- (4) Assist biological parents in achieving closure with their children (key element in adoption work to assist child in having a smooth transition toward a permanent family).
- d. **Selection and Preparation of Adoptive Family**
  - (1) Expediently identify and select the adoptive family.
  - (2) Review family profiles.
  - (3) Provide ALL known information regarding the child.
  - (4) Determine the adoption subsidy.
  - (5) Work toward a smooth transition in placing the child: plan consistent and convenient visitations.
- e. **Supervision of the Adoptive Family**
  - (1) Plan move of the child and assist in the adjustment to a new family.
  - (2) Supervision of the adoption and provision of support services.

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4. The final placement and post-adoption work is built on all previous work with the child and the respective families.

### **D. Picking the Right Adoptive Family**

1. Adoption research overwhelmingly shows that the single most important factor in successful adoptions is that they are made in a timely manner. Time is a crucial factor.
2. Six key elements go into the selection of an appropriate family. Learning to look for and develop these elements helps caseworkers make quicker and better decisions on families for the children waiting for homes.

#### **✂ Trainer Note:**

Overhead #16, "*Elements of Successful Adoptive Families*," (or information on a flip chart) will list the six key elements. To conserve time you may point these out without discussion.

#### **a. Commitment**

- (1) This may be the single most important factor for predicting the success of the adoption.
- (2) Look for family's ability to make commitments in past and current commitment to this child.

#### **b. Flexibility**

- (1) This involves a family's ability to "roll with the punches."
- (2) The most effective adoptive parents are those who have non-traditional parenting roles where everyone pitches in when needed.
- (3) Look for evidence that the family can adapt to the unexpected, deal with daily challenges, and live without knowing absolutely what the future will bring.

#### **c. Stability**

- (1) This is the counterbalance to flexibility.
- (2) What evidence is there that the family is able to provide a stable home for a waiting child.
- (3) Look for a history of marital or parenting stability?
- (4) How is income managed?
- (5) Has the family provided stable care for relatives or other children?

#### **d. Supports**

- (1) Successful adoptive families reach out for help and have experience building and using support networks. (Especially important for working with children with special needs).

## **CORE 105 Adoption**

- (2) Even a single mom with a large and involved extended family and network of supportive friends can provide stable and diverse parenting experience.
- e. **Directive parenting:**
  - (1) Is a skill that can be developed and used effectively with special needs children. (can be somewhat threatening to those who have not learned about it)
  - (2) Is being direct, firm and opinionated about reasonable expectations.
  - (3) Is establishing clear and consistent limits.
  - (4) Is a sign of strength in the parent's ability to provide consistency and advocacy for adoptive child.
- f. **Sense of humor**
  - (1) This may be the saving grace for the adoptive parent of a child with special needs.
  - (2) Look for ways in which prospective parents can laugh at their limitations, weaknesses and mistakes.
3. **Commitment, flexibility and stability** are three of the most crucial indicators of future success in adoptive families.
4. The best approach is to look at the six key elements and make an early commitment to ensure that an adoptive placement happens.
5. Workers should feel confident that by just having made a decision that they have made a positive step.

## **E. Adoption Services**

1. **SWAN** is the Statewide Adoption Network.
  - a. It is a network made up of the children and youth agencies; private adoption agencies who contract with a private contractor for the state; the Pennsylvania Department of Public Welfare, Office of Children, Youth and Families; PAE; OCOG; and the Child Welfare Competency-Based Training Program.
  - b. The goal of this network is to provide services to the children and youth agencies to assure the timely adoptive placements for children who are in the custody of the county agency and have the goal of adoption.
  - c. A desk reference manual (**Help Manual**) is available to all children and youth staff as well as private contracting agencies. It provides a quick reference for adoption related questions and issues. It references the content of this CORE 105 as well as the state Bulletin.
2. **PAE** is the Pennsylvania Adoption Exchange

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- a. PAE's goal is to provide an adoption resource and referral service to waiting children and interested families.
  - b. The agency collects and disseminates statistics on registered children.
3. Other agencies in Pennsylvania:
- a. **Delaware Valley Adoption Council** - located in Philadelphia, consortium of adoption agencies in Pennsylvania/Delaware/New Jersey
  - b. **Three Rivers Adoption Council** - located in Pittsburgh - a consortium of more than 30 adoption agencies in western Pennsylvania

### **F. Closing Points and Success Stories**

1. Closing points
  - a. Every worker has a part in working together in the permanency planning process of a child's life.
  - b. Adoption research emphasizes that the single most important factor in adoption success is timeliness.
2. Success Stories (as time permits)

#### **Trainer Note:**

Success stories of adoptions and teamwork to facilitate adoption should be presented by trainer. Draw from own experiences or from those of cases you have heard about. These stories could demonstrate the placement of siblings in the same home, specialized recruitment efforts, use of teamwork between agencies. Stories could include placement of a child who will never be independent, who is blind, or who acted out in residential placement but responded positively to an adoptive home. Stories should reflect the diversity of individuals and families who have successful adoptive parents.

## **CORE 105 Adoption**

### **Exercise #10: Summarizing Activity (25 minutes)**

**Objective:** Participants will review selected items that they learned from the workshop. They will create small group presentations to share with the large group as a means of review.

#### **Directions:**

1. Break into groups (or use table groups).
2. Each group will pick an activity card (from trainer) for creative format.
  - a. Soap opera
  - b. News show
  - c. Game show
  - d. Situation comedy
  - e. Talk show
3. Each group will choose a point to review (or trainer will assign).
4. Groups will be given 10 minutes to prepare. Notify groups when two minutes are left. (Encourage them to use makeshift props such as using an ice scoop for a microphone.)
5. Each group will be given three to four minutes to present information in a creative manner.
6. There should be a round of applause after each group presents.

#### **Trainer Note:**

If there is not enough time to present exercise #10, allow participants to fill out Handout: #13, "***CORE 105-Adoption: What Have I Learned?***". Some volunteer responses could be shared from each table group. These sheets may be collected to identify focus of participants.

***Handout the evaluation forms and thank the participants for their cooperation.***