The Adoption Project

2009

Charting a Decade of Change

February 2009

The Alliance for Children's Rights and Public Counsel Law Center have written this history of the Adoption Project in Los Angeles County with the generous support of the Stuart Foundation.

We hope this publication will assist others in their efforts to secure the path to legal permanency for foster children.

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An Unprecedented Partnership

The Adoption Project, formed in 1997, is an unprecedented partnership of the Los Angeles Juvenile Dependency Court, Los Angeles County Department of Children and Families Services (DCFS), and two Los Angeles-based child advocacy organizations, The Alliance for Children's Rights ("The Alliance") and Public Counsel Law Center ("Public Counsel"). This collaboration was initiated to reduce the number of children waiting for adoption in Los Angeles County's foster care system, the largest in the nation. The Adoption Project ("The Project") has dramatically improved the foster care system in Los Angeles County by addressing the legal needs of prospective adoptive parents, streamlining the adoption process, and instituting critical systemic reforms. The Project, together with *pro bono* attorneys from across Los Angeles, has significantly increased the number of yearly adoptions, and has paved expedited roads toward permanency for foster children. It has also spearheaded efforts to improve timely and effective assessments of the needs of children in foster care to increase their access to needed services and benefits, thus strengthening the stability of adoptive families. Throughout the past eleven years, this public/private sector endeavor has led to the successful finalization of 14,500 adoptions in Los Angeles County, including the adoptions of many older children who had languished in foster care for far too long.

Prior to 1997, the focus in Los Angeles relevant to the child welfare system was crisis management, safety and reunification. However, when many foster children could not be safely reunified with their birth parents, completing a child's adoption was not a priority. The situation in Los Angeles County's overburdened system reached a critical state, mirroring systemic policy and attitude nationwide. *Nearly 50,000 children* were living in out-of-home foster care. 6,000 of these children were legal orphans, as parental rights had already been terminated. They were legally free for adoption, and in most of these cases adoptive homes had been identified. Yet adoptions were stalled as they awaited final legal documents to be completed and filed, sometimes for several years. The future of these foster children was held in dependency limbo.

Federal legislative change was underway, and in 1997, the Adoption and Safe Families Act (ASFA) was passed to expedite permanency for children in foster care and address the accountability of the child welfare system. In California, the governor launched an initiative to double the number of adoption placements in the state over a four year period. In Los Angeles, recognition and acknowledgement of the backlog of children awaiting adoption finalization was fast becoming a priority and subject of discourse among public and private stakeholders. Andrew Bridge, then Executive Director of The Alliance, and Virginia Weisz, then Directing Attorney of the Children's Rights Project at Public Counsel, had been in discussions with the DCFS Adoption Division Chief, the late Sara Berman, about the situation. They approached Presiding Judge Michael Nash of the Juvenile Dependency Court to share their and Ms. Berman's ideas and to offer commitments from their organizations to finalize adoptions and help reform the process.

Judge Nash, in a bold report presented to the Los Angeles County Board of Supervisors, publically acknowledged that there were far too many children in the foster care system awaiting adoption and announced a plan to improve the situation. He pledged to work closely with then DCFS Director Peter Digre to instigate change from what he called "systemic inertia." The plan included partnering with Public Counsel and The Alliance. A commitment was made, and the spirit of partnership brought to the work made all the difference.

"A lot of time was spent on these adoption cases, getting them to the point where parental rights were terminated and waiting for an adoptive plan. But as a system we weren't devoting the time and effort needed to get these kids out and on their way. There were really three causes: 1) social worker inaction and other bureaucratic delays; 2) the lack of attorney resources to focus on these cases; and 3) the lack of appropriate court resources working on adoptions."

Presiding Judge Michael Nash, Los Angeles County Juvenile Court

As the Adoption Project in Los Angeles County unfolded, it worked to tackle a backlog of more than 6,000 adoptions, efficiently finalize and increase the number of adoptions, advocate for foster children's rights to appropriate services and benefits, and break down systemic barriers. The story is a testament to the long-term support provided by the Stuart Foundation, which made the vital involvement of The Alliance and Public Counsel possible. This undertaking has led to the successful adoption of thousands of children. May it inspire advocates to forge their own partnerships to move children from foster care to permanency in other communities. The organizations encourage a jurisdiction of any size and in any state to utilize the information presented in whole or in part as a model for change, tailoring this Adoption Project to its specific set of needs and challenges. Points of practice are distilled and presented that may prove useful for the implementation of any adoption project and to initiate systemic reform. Changemakers - the court, the child welfare agency, child advocacy organizations, groups from both the public and private sectors, foundations – can work to find common ground and set goals to instigate imperative and lasting reform to help children in foster care find and join permanent, loving families.

Circumstances circa 1997:
The Necessity for a Culture Shift

In 1997, "Elena" was five years old. She had developmental delays and severe respiratory issues due to abuse suffered as an infant. Her foster parents brought her home from the hospital when she was 4 months old, and committed to raising her ever since. They wanted nothing more than to adopt their foster daughter, but were losing hope after three years of wading through an adoption process that seemed would never end.

Several factors caused the backlog of adoption cases in Los Angeles County's encumbered child welfare system. Prior to 1997, the completion of foster children's adoptions was not given priority, in policy or in practice. It was representative of longstanding institutional attitudes in large jurisdictions around the country. For adopting parents, there was an inordinate delay between Termination of Parental Rights (TPR) and the ability to legally call a child their own. Adopting a foster child was difficult and time consuming. Steps on the adoption path required coordination between local and state agencies and the juvenile court. Children stayed in long-term foster care for months, often years, notwithstanding the known psychological, medical and behavioral problems created in children who lacked permanent homes.

It was also not clear who was to bear the responsibility of guiding an adopting family through the process. Although the expectation was that court appointed Dependency Court Legal Services (DCLS) attorneys were expected to assist adopting parents and the children with the adoption process, their high caseloads made it impractical and adoptions faltered. Moreover, DCLS determined that it would be a conflict of interest for minor's attorneys to represent both children and their adopting parents. DCFS, the agency responsible for adoption finalization, was even more overwhelmed by huge social worker caseloads, an archaic paperwork process, and no viable database. Compounding the problem was that most adopting parents entered the adoption process without their own attorney to advocate for them because private representation was costly. The lack of counsel to advocate for adopting parents permitted the system to place adoptions as a last priority.

In 1997, seeds for systemic change were planted. The landmark shift in the goals of federal and state government with ASFA's new mandate to expedite permanency for children by allowing courts to terminate parental rights sooner and place children into adoptive homes more quickly was a start. Financial incentives were offered to states to increase their number of adoptions, and financial adoption assistance and medical insurance was available to families as an incentive to adopt children with special needs. However, implementing policy goals and truly creating institutional culture shifts would take time and resources.

This convergence of factors and crisis state of Los Angeles's foster adoption system in 1997 led to the partnership between the Juvenile Court, DCFS, and The Alliance and Public Counsel to make necessary changes in the way the system was processing and completing adoptions. The collaboration that formed the Adoption Project would take on the responsibility for creating fundamental system reform, shifting the attitude toward permanency and creating a process that could support that necessary change.

Setting Up The Project:
Finding Innovative Solutions to Address a Critical Need

The Adoption Project was a novel public-private partnership.

Communication, Collaboration, and Commitment

First, through dialogue, Presiding Judge Nash, DCFS, and The Alliance and Public Counsel pledged to join forces to expedite the completion of foster children's adoptions. Leadership from these entities, as well as from Children's Law Center (CLC, formerly DCLS), met several times to discuss the backlog of adoption cases and brainstorm how to reform the adoption process and more efficiently finalize the cases. Key partners around the table helped insure that effective procedures were put in place to address a previously intractable problem. Ensuring that communication lines remained open throughout made ongoing reform and system change possible. The long-term commitment of Project partners to plan and coordinate efforts has supported its accomplishments and longevity.

Establishing a Court-Approved System

Given the strict confidentiality of information relating to foster children and caregivers, a court-approved system was needed to authorize the referral of cases to The Alliance and Public Counsel. Moreover, the system had to allow more efficient access to confidential juvenile court information to facilitate and finalize adoptions. Information such as the TPR date, Indian Child Welfare Act (ICWA) status, and appeals, as well as the child's medical, physical, and psychological condition relevant to services and benefits advocacy, were all pertinent to adoptions. The solution was the issuance of a blanket order by Presiding Judge Nash on June 27, 1997. The Order directed CLC minor's attorneys to refer all existing children's adoption cases, as well as all new adoption cases following the TPR hearing, to Public Counsel and The Alliance. The Order also authorized the organizations and *pro bono* attorneys access to confidential juvenile court files and information about dependent children who were to be adopted once parental representation was established. This Order avoided the need to make an individual and time consuming request in every case.

Discovering the Scope of the Problem

No one knew how many cases there were in the backlog of adoption cases, or their status. Presiding Judge Nash initiated an evaluation which determined around 6,000 children eligible for adoption were stuck in some stage of the process. He directed DCFS to prioritize the cases and prepare them for finalization. The first set of backlogged adoption cases totaled around 230. The minor's attorneys also began to refer new adoption cases after TPR, which during the first year of The Project amounted to well over 100 adoption referrals each month.

The Alliance and Public Counsel reviewed hundreds of Juvenile Court dependency files and adoption cases, uncovering the actual nature and extent of the problems on cases and the cause of delays. A major barrier was the inordinate delay between TPR and DCFS' completion of the requisite steps to finalize adoptions. Problematic, too, were the unmet services for children and incorrect benefits for adoptive families.

Improving Project Effectiveness

During the first year, it became clear that it was difficult to obtain information on individual cases from social workers. A dedicated resource was needed to centralize information flow between DCFS staff and Project advocates. DCFS created the essential Adoption Liaison position, a social worker located at the Children's Court who helped facilitate communication and coordination to finalize adoptions. Having someone bridge this gap was a key component to The Project's early success. The Adoption Liaison remains an integral part of the Adoption Project process.

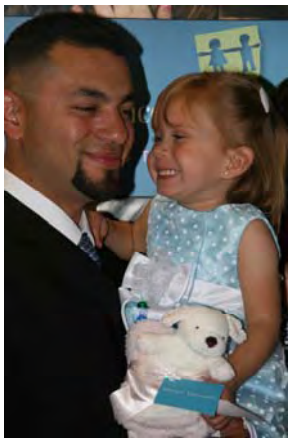
"The adoption is the last stop before these children and their adopting parents leave the foster care system. By identifying issues in the interview, legal adoptions are ensured, and children are surrounded by the services and benefits they need to thrive and for their adoptions to succeed."

Karen Ullman, Senior Attorney
Public Counsel Law Center

Creating a "Ready Referral" System

As Public Counsel and The Alliance acquired adoption cases from minors' attorneys after TPR, they received no information from DCFS as to what stage in the adoption process a case might be, whether any barriers existed to the adoption, or whether it was in fact ready to finalize. It became apparent that a more structured case referral system was needed. During Project partner meetings, it was decided the process could be expedited if the organizations also received referrals from DCFS at the point when a case was legally ready to finalize. These became known as "ready referrals". The Blanket Order was amended to authorize them. This new referral system enabled the organizations to prioritize adoption cases and focus internal and *pro bono* resources on cases needing immediate legal assistance. It enhanced the organizations' ability to work with social workers and the Court to identify finalization barriers, resolve benefit and service issues, and track timelines. The referral system also aided in the recruitment of *pro bono* attorneys for adoption case work, as an approximate timeframe for adoption finalization could be provided.

Developing Interview Questionnaires



Public Counsel and The Alliance developed detailed issue-screening interview questionnaires to aid trained staff and volunteers to identify families' assistance needs and/or unresolved legal issues that would need to be handled prior to adoption finalization. This in-depth interview process uncovered many unresolved matters, such as incorrect benefits and services, which directly affected families and delayed adoptions. This comprehensive information gathering became a critical tool in adoption finalization. Information gathered from individual case interviews allowed the organizations to track systemic problems and bring them to the attention of DCFS, the Juvenile Court, and other system stakeholders to identify global solutions on a policy level.

Professional Volunteers:
Pro Bono Attorneys Integral to The Project

The foundation of the Adoption Project was the creation of the "*pro bono* model" for adoption finalization. It holds true to this day. In 1997, it was quickly determined that the missing fundamental piece that would move cases from backlog to completion was the separate legal representation of adopting parents. This was not a resource that could be provided by the dependency court to adopting parents.

Public Counsel and The Alliance already had a cadre of attorneys dedicated to providing voluntary legal services in other areas. Plans were launched to recruit from those existing networks to assist adopting parents. Initial recruitment efforts were extremely successful, and a core of ~250 private practice attorneys from around 50 law firms came on board to take on adoption finalization cases.

Public Counsel and The Alliance provided extensive training to these *pro bono* attorneys. This has been a key factor in the development, growth, and retention of this professional *pro bono* workforce. They were trained to prepare the legal documents necessary for adoption finalization and advocate for needed services and supports. *Pro bonos* were able to negotiate adoption assistance benefits with the county, facilitate referrals for needed services for children and families, and make appearances at court hearings. At first, there were over a dozen adoption trainings for large law firms per year, and these trainings quickly expanded. Each organization also trained and supervised law students from local law schools to assist their staff with preparation of adoption cases.

Supportive instructional manuals and materials to assist *pro bono* attorneys in finalizing adoptions and represent parents in Adoption Assistance Program (AAP) negotiations were created. (AAP is the federal program that provides financial assistance for adoptive parents.) These materials were updated for the firms to address laws and regulations governing adoptions and AAP.

Evidencing their enthusiasm and desire to commit long-term to Project efforts, some of the volunteering firms, including Gibson, Dunn & Crutcher, Latham & Watkins, Bingham McCutchen and Paul Hastings, modified the organizations' materials to comport with their existing firm policies and practices.

In addition to general adoption training, detailed case summaries were provided to *pro bono* attorneys. The case summaries identified service, funding and any other complexities presented by the adoption, and provided instructions on resolving these issues, so that volunteer attorneys could assist in these matters even if they otherwise lacked expertise. Ongoing support by Public Counsel and the Alliance staff was also provided.

As the Project matured, updated trainings were conducted which included new materials specific to handling older adoption cases and utilizing new assessment tools and protocols. The materials explained the legal issues involved with older adoption cases and the potential roadblocks that might be encountered in resolving backlog cases. For example, special education, mental health, services for severely disabled children, Regional Center and Medi-Cal issues could be more complex in older cases, thus requiring the additional supportive tools.

Thanks to the early efforts of firms like Gibson, Dunn & Crutcher, which made the tremendous dedication of over 120 attorneys and staff to finalize large blocks of cases, over time The Project was able to substantially reduce the original backlog of adoptions. The firm's commitment, like that of many others, did not end after their first year. Rather, Gibson's enthusiasm for helping children obtain permanent, loving families only intensified.

The Alliance and Public Counsel continue to educate and provide the necessary tools to support the success of their *pro bono* attorneys. Throughout the years, more than 100 law firms and more than 1,000 attorneys have participated in finalizing foster care adoptions.

Over the past ten years, Gibson, Dunn & Crutcher lawyers and staff have finalized over 2,200 foster children's adoptions.

Adoption Days:
Local Problem Solving Transforms to National Celebration

With the cadre of *pro bono* attorneys ready to take on finalizing adoptions, the judicial system quickly moved to put innovative methods in place to expedite large numbers of adoption finalizations. Presiding Judge Nash, in conjunction with The Alliance and Public Counsel, worked to increase adoption numbers by scheduling as many cases as possible on the daily calendar. Even more significant was his decision to institute special Adoption Days, when certain courtrooms were dedicated exclusively to adoption hearings held one after the other, so record numbers of adoptions could be finalized on the same day. The first Adoption Day was held in December 1997 so that waiting families could finalize their adoptions before the holidays and the New Year. This evolved into the ground-breaking "Adoption Saturday" program pioneered in Los Angeles County by Presiding Judge Nash. The Adoption Saturday program piloted the way for the founding of National Adoption Day.

"To participate is *the* most fun thing you can do as a judge. There's nothing more fun than doing an adoption, because really it is a celebration. . . it's a celebration for these kids who have come into this system under unfortunate circumstances and who are leaving in a very positive way."

Judge Michael Nash, Presiding Judge, Los Angeles Juvenile Court

Adoption Days generated significant media attention with stories that highlighted adoptive families appearing in the *Los Angeles Times*, *Daily Journal*, and other newspapers. Media increased the visibility and viability of the foster child's adoption process, encouraging new parents to consider adoption.

Prior to the Adoption Project, families had been waiting from one to six years to finalize adoptions that could have been completed in a matter of months. The genesis of the Adoption Saturday program occurred in February 1998, when Gibson, Dunn & Crutcher partner Steven Meiers proposed to Judge Nash an expedited adoption finalization process for *pro bono* firms. Their brainstorming led to *pro bono* firms preparing groups of cases, some specifically on "Paper Day" Saturdays, with a scheduled filing timeline for the Adoption Saturday which kept the process moving and all involved parties working together toward that goal.

Adoption Saturdays

On Saturday, April 25, 1998, judicial officers, court personnel, Alliance and Public Counsel staff, and the *pro bono* attorneys for adopting parents volunteered their time to complete adoptions. Opening the court on a Saturday allowed for a higher number of adoptions to be finalized. For this single dedicated day, the Children's Court was filled only with happiness and joy - smiling children, parents and volunteers, balloons, teddy bears, and new forever families. More than 10 years into the Adoption Project, 25 Adoption Saturdays have taken place at the Children's Court and nearly 7,700 children's adoptions have been finalized on these extraordinary Saturdays alone.

In the first several years of the Adoption Project, Adoption Saturdays were held four times a year in an effort to reduce the huge backlog as quickly as possible. As many as 300 or 400 adoptions were finalized on a given Adoption Saturday. In more recent years, since the original backlog has been managed, Judge Nash has opened all dependency courtrooms to handle adoptions as part of their regular weekly calendar, and modified the Adoption Day concept to include "mini -adoption days" held on Friday afternoons every other month allowing for the finalization of cases efficiently throughout the year.

National Adoption Day

By 1999, there was a pervasive enthusiasm for the success of the Adoption Saturday model in expediting adoptions in Los Angeles County. Andrew Bridge, then Executive Director of The Alliance, wanted the program to expand to other jurisdictions around the country. Holding an annual National Adoption Day, to be celebrated each year on the Saturday before Thanksgiving, became the next Adoption Project endeavor. With the generous support of the Dave Thomas Foundation for Adoption and the Freddie Mac Foundation, The Alliance recruited and trained ten cities to join Los Angeles and together they celebrated the first-ever National Adoption Day. On November 18, 2000, 1,100 adoptions were finalized around the country utilizing the "Adoption Saturday" model developed by Judge Nash for Los Angeles County.

The excitement generated in Los Angeles has been infectious. Media attention has played no small role in creating public exposure. Judge Nash's advocacy among his peers helped spread the word to judicial officers both throughout California and the country. The Alliance worked diligently to recruit more cities every year. Nationwide, families, attorneys, judges, judicial staff, social workers, and the hundreds of other volunteers who are involved in the preparation of this celebratory day look forward to this overwhelmingly positive experience. National Adoption Day is now celebrated in hundreds of courts in all 50 states, the District of Columbia, Guam, and Puerto Rico. As of 2008, more than 25,000 children's adoptions all around the country have been finalized as part of National Adoption Day.

"After over 14,500 adoptions since the first groundbreaking adoption Saturday, we still celebrate the special moment each time a new family is created. It's a testament to all the partners and volunteers that work to keep this hope alive."

Cynthia Billey,
Senior Staff Attorney,
The Adoptions Program
The Alliance for Children's Rights

Services and Benefits:
Accessing the Adoption Assistance Program for Children and Families

When the Adoption Project was initially launched, Public Counsel and The Alliance sought to complete full evaluations to ensure all necessary services and benefits to which children were legally entitled had been received. Issue screening tools were developed to identify the issues affecting the child on each adoption case, including the level of AAP benefits received. All foster children are entitled to these AAP payments when adopted. The payments help adopting parents to care for, support, and meet a child's particular needs in the adoptive home. It was discovered by the organizations that in about 25% of cases children were not receiving adequate services and proper benefits. Special needs children in particular had not been receiving proper evaluations, services, or AAP benefits. The unfortunate reality was that stakeholders in the dependency system did not have a firm understanding of the benefits structure.

Why Proper Benefits Matter

Advocacy to correct inadequate and improper benefits was quickly identified as a key objective of The Project. To understand the importance of these benefits and why this quickly became a focus, it is necessary to understand the structure for determining benefits. In the child welfare system, early on in a foster child's case, most caregivers qualify to receive foster care payments. After adoptive placement, they transfer to AAP payments, which continue after the child is adopted until the child is 18 or until the child is 21, if the child has a significant disability. AAP rates are based on the condition and needs of the child and special care that the caregiver must provide. Specialized care rates are available for children with special needs and disabilities. With limited exception, the foster care and AAP rates should be the same (unless the child's needs have changed). So, if a child is receiving the correct foster care rate, that rate should transfer to the child receiving the correct level of AAP payments.

Before the Adoption Project, incorrect foster care payments were translating into incorrect AAP payments. Families seeking information about payment eligibility and requesting assistance were forced to rely exclusively on their social worker for guidance; upon asking questions about eligibility for specialized care rates, they commonly heard "no" as the answer. Receiving improper rates for children with special needs affected not only the condition of the child, but negatively impacted the adoption, the likelihood of finalization, and the likelihood that the adopting family would be able to properly care for the child and provide a stable, long-term home. The following scenario was not uncommon:

During the issue screening interview we discovered that the sister and brother being adopted, "Bobby" and "Brittany", were not receiving the funding or services they required given their severe emotional and behavioral issues.

When the adopting parents, came to us they were having extreme difficulty in finding a therapist to treat Bobby and Brittany. Bobby, age 6, has been diagnosed with Reactive Attachment Disorder, Post Traumatic Stress Disorder and Attention Deficit Hyperactivity Disorder, while his sister, age 12, has been diagnosed with Anxiety Disorder, Depression and Post Traumatic Stress Disorder.

Bobby's severe behavioral problems included: violence, cruelty to animals and others, lying, cheating, foul language, setting fires and throwing tantrums for long periods of time. Brittany was the victim of sexual abuse which resulted in depression and hostility toward her adopting parents.

Once representation began, we started the uphill battle of obtaining the appropriate funds and services for these disturbed children. According to the ruling in Emily Q, Medi-Cal is required to provide mental health services to foster and adopted children. As a result we were able to use the Emily Q ruling to obtain Therapeutic Behavioral Services (TBS) for Bobby. The TBS services will provide Bobby with a one-on-one aide and in home therapy services that the Sanders and Bobby so desperately need.

Moreover, we worked to obtain the respite care so that the adopting parents and their family may take a short period of time off from the demands of caring for Bobby who needs constant supervision. Lastly, Brittany was receiving the basic rate of AAP funding. Through the AAP Inquiry process we were able to obtain the D rate, including retroactive benefits for Brittany which will ensure that the family can access the treatment she needs to help her cope with her past abuse.

Foster Care/AAP Inquiry Process Developed

Resolving the foster care and AAP issues on a case by case basis was time consuming. Within DCFS, standardized knowledge and protocols were lacking. In response to the situation, Public Counsel and The Alliance worked with DCFS to develop the protocols and forms that would make up the Foster Care/AAP Inquiry Process ("Inquiry Process") – a system designed to quickly and effectively address benefit issues so as not to prolong adoption finalization.

To start the Inquiry Process, Public Counsel and Alliance advocates submitted a written Inquiry to a designated liaison at DCFS describing the child's condition and special care needs, the rate requested, the policy that supported such an increase, and if retroactive benefits were being requested. When possible, supporting documentation on the child was also provided. DCFS would provide a detailed written response within two weeks. Advocates often exchanged

several Inquiries with DCFS to confirm information about the child's condition and DCFS policy. This resolved the vast majority of benefit issues on an expedited basis. If through the Inquiry process an agreement could not be reached, DCFS sent a notice of action regarding its position, and a state administrative hearing was requested. In addition to resolving issues on individual cases, the Inquiry Process has helped The Alliance, Public Counsel, and DCFS identify areas where workers make common mistakes in setting the rate, so that those issues may be addressed by DCFS on a more global level. The Inquiry Process has been a key element to the success of the Adoptions Project's goal of timely adoptions with proper services and benefits in place.

Informational Materials and Training on Specialized Care Rates

In response to the high number of benefits issues that were discovered through the Inquiry Process, Public Counsel developed the "Quick Reference Guide to Foster Care/AAP Rates for Children with Special Needs" ("The Guide"). The Guide, a user-friendly chart, summarized DCFS policies on the criteria necessary to qualify for Los Angeles County's specialized care rates for children with special needs. The DCFS specialized care rate policies were long and confusing. The Guide provided a simple way to identify the proper rate based on knowledge of the child's condition and needs. As a result, DCFS e-mailed the Guide to every DCFS adoption social worker and included The Guide in their Post Adoption Services Manual given to adoptive parents following an adoption. The Guide was also used to train minor's attorneys, CASAs and judicial officers on the rate system. Everyone involved in a child's case could better assess if the assigned benefits level was correct. This tool helped prevent a child with special needs from receiving the incorrect rate for years, which alleviated undue stress on the family and stabilized the placement.

Los Angeles County Specialized Care Rates

- Identified severe emotional and behavioral problems (D rate)
- Serious medical conditions, physical disabilities, or developmental delays (F rate)
- Developmental disabilities served by a Regional Center (Regional Center ARM rate; now Dual Agency rate)

Benefits Workgroup – D and F rate Indicator Forms

In part, as a result of the number of benefit and service issues identified through the Inquiry Process, Trish Ploehn, then head of the DCFS Adoptions Unit, formed a benefits workgroup consisting of DCFS adoption social workers, public health nurses, advocates, mental health professionals, The Alliance, and Public Counsel. The workgroup's goal was to identify the barriers to proper rate determinations. It identified that DCFS staff had varying degrees of knowledge and training, that D and F rates were complex, and that there was a definite need for DCFS forms be more user-friendly. D and F Rate Indicator Forms were designed to present information about specific DCFS eligibility criteria in an easy checklist format. The mandatory use of the forms was incorporated into DCFS policy to aid social workers and staff to identify the proper rates for children with special needs in their caseload. Although Indicator Forms have not eliminated improper rate setting, common errors in cases of children with clear disabilities or medical conditions have been reduced. In addition, Judicial Officers and minor's attorneys use the Indicator Forms to help detect rates that have been set improperly.

The Alliance and Public Counsel zealously advocate for services including mental health, special medical treatment, Regional Center, special education, and transitional services.

Securing Specialized Care Rates

Through their advocacy work, the organizations discovered that Regional Center inaction over several years had resulted in the denial of AAP specialized care rate benefits and delayed adoptions for hundreds of the most disabled children. In October 2005, The Alliance, Public Counsel and *pro bono* counsel Gibson, Dunn & Crutcher attorneys filed a class action lawsuit in Los Angeles Superior Court (*Edward F. et al. v. Harbor Regional Center et al.*) seeking an injunction ordering the Regional Centers to perform their legal duties to assess the needs of children in foster care with developmental disabilities as necessary for DCFS to provide specialized rates of adoption assistance benefits. One year later, on October 4, 2006, Los Angeles Superior Court Judge Carolyn Kuhl granted a preliminary injunction securing continued specialized rates of AAP benefits for these children. Since the preliminary injunction was granted well over 100 children have been provided with the benefits to which they are legally entitled.

Collaborative Systemic Reform:
Breaking Down Barriers and Refining the System

The Adoption Project initially addressed the hundreds of children waiting to be adopted who had languished for far too long in the system. However, there were deep-rooted structural and organizational problems in LA County's foster care adoption process that systematically delayed adoptions.

A core element of the Adoption Project was the ongoing collaborative effort to streamline the adoption process and eliminate systemic barriers, both large and small, which prevented timely adoptions. Strategies implemented during the first five years of The Project helped shorten the time to adoption finalization. These specific systemic reforms, supported by Project partners and launched by DCFS, were necessary to instigate change. Even still, the majority of adoptions were taking too long to finalize.

The Permanent Families Task Force chaired by Chuck Hurewitz, then Commissioner of the Los Angeles Commission on Children and Families, was formed around 1997 to work on strategies and reforms to expedite permanency planning. It provided oversight of DCFS' systemic reform efforts. Virginia Weisz, Andrew Bridge and Public Counsel senior staff attorney Karen Ullman were leading members of the Task Force and its subcommittee, the Adoptions Process Work Group, which adopted important goals over the first several years of the Adoption Project.

Cutting Down on Bureaucratic Paperwork

The first set of Project reforms eliminated redundant bureaucratic procedures weighing down the adoption process and the timeline for finalizing adoptions. The Alliance, Public Counsel, DCFS, and the Court worked together to analyze each step and identify areas where tasks could be worked on concurrently.

System reforms included:

- Eliminating unnecessary forms such as the Release of Information form
- The Court ordering DCFS to request the Acknowledgement of TPR from the state within two weeks, instead of within months
- Ensuring DCFS followed the waiver policy, which allowed a child who lived with the adopting parent for more than six months to avoid an additional 6-month delay between adoptive placement and finalization

Making Adoption Home Studies Timely

A checklist of steps was created for judicial officers to use and track the timely completion of adoption home studies, adoptive placements, and post-placement visits. The Alliance and Public Counsel encouraged DCFS to contract with private adoption agencies to complete adoption home studies. This eased the caseloads of county adoption workers. Completing more home studies allowed DCFS to move children's cases through the legal finalization process more quickly and efficiently and also to refer more ready adoption cases to the organizations for finalization.

Creating a Database

The Alliance and Public Counsel worked closely with DCFS on an imperative technology upgrade – the development of the Adoption Information System (AIS). This automated adoptions database system enabled DCFS to track via computer the status and progress of cases. The organizations worked closely with DCFS to identify which fields to track; assisted to create the design and format of the database; and resolved initial glitches in the system. Once up and running in 1999, the automated database had a significant impact on DCFS' ability to prepare cases for finalization. The information gained from the streamlined data collection process allowed for adoptions to be processed efficiently. Consequently, the total number of adoptions finalized annually increased.

The Adoption Backlog Initiative

By 2002, the initial backlog of cases had cleared. Many of the newer adoption cases moved through the system more smoothly. But a large group of children remained. These children had the most complicated cases. Many suffered from severe psychological, medical, behavioral and developmental problems. Many experienced unstable and/or multiple placements. Some were from sibling groups or were older in age. DCFS did not address the cases of children who had complex services and benefits needs. Public Counsel and The Alliance identified this population to DCFS and the Juvenile Court.

With the generous support of the Stuart Foundation, the organizations created this new initiative to focus resources on finalizing or resolving the 650 oldest adoption cases in the child welfare system. In addition, they worked with DCFS to help identify cases where adoption was no longer the permanent plan and where another resolution, such as legal guardianship with a relative, was a more appropriate solution.

DCFS agreed to conduct its own review to identify the oldest adoption cases and refer them to The Alliance and Public Counsel. In turn, the Adoption Project conducted a comprehensive individualized assessment of each case to identify specific issues preventing completion of the adoption. The organizations identified barriers and worked directly with adopting parents, social workers, minor's attorneys, and the Court to resolve the issues. They provided individual advocacy for children and youth who qualified for specialized care rates, special education, mental health and other services to make certain the adoptions would succeed.

The common issues The Alliance and Public Counsel identified as causing delays included:

- **High social worker turnover and reassignment**
- **Social worker inaction holding up home study approval and adoptive placement**
- **Social worker failure to transfer cases to the DCFS Completions Unit**
- **Appeals of TPR**
- **Improper ICWA noticing for children with Native American Heritage**
- **Mistakes in the minute orders from the TPR hearing**
- **Missing or incorrect information from DCFS**
- **Clients' failure to respond to repeated attorneys' inquiry**
- **Inadequate assessments and unmet service needs of children**
- **Incorrect AAP benefits**
- **Placement stability concerns, requiring increased case management and/or family preservation services**
- **Child behavioral issues and the need for intensive services before proceeding with adoption**

The barriers analysis resulting from the organizations' adoption representation during the Backlog Initiative enabled them to work collaboratively with the Children's Court, DCFS and others to formulate systemic solutions to the problems delaying adoptions. In 2004, The Alliance and Public Counsel wrote the *Backlog Barriers Summary* and *Adoption Backlog Initiative Findings and Recommendations Report*, which provided actions and policy changes deemed necessary to correct problems in the adoption process. As a result of this report and the barriers analysis, a number of findings confirmed the critical urgency to reduce delays at the front-end of the system, as unresolved issues compound and get stalled toward the end of the process, creating a backlog.

120 Day Emergency Home Study Project – Early Intervention

Also in 2003, then DCFS Director Dr. David Sanders launched an initiative to approve or deny over 2,000 open adoption home studies by the end of October of that year. Unresolved home studies delayed adoptions and threatened to create a new backlog.

To support the "120 Day Emergency Home Study Project" and see that children's needs were met during the transition to adoption integration and concurrent planning, The Alliance and Public Counsel agreed to accept, in addition to their usual "ready referrals", referrals of adoption cases from DCFS at home study approval or adoptive placement. Advocating for adoptive parents and children earlier in the process was an effective strategy to resolve problems before they impede the adoption finalization.

Permanency Through Adoption Initiative

In 2003, DCFS launched a major new "Permanency through Adoption Initiative" under the leadership of Adoption Division Chief Trish Ploehn (now director of DCFS). It included the innovative component of creating a dozen DCFS workgroups that engaged the active participation of community stakeholders in the process. These workgroups led to reforms that transformed the system. The key groups included Adoption Integration, Consolidated Home Study, and Concurrent Planning/TPR Redesign. The Alliance and Public Counsel reported on the groups' progress and proposals to the Permanency Committee of the Commission on Children and Families. The organizations' expertise gained by working on hundreds of adoptions each year well-positioned them to make recommendations on ways to streamline the adoption process, remove barriers to adoption and improve assessments.

"The successes we have seen are a direct result of the dedication and very hard work of my agency's staff, community stakeholders, and the philanthropic organizations with whom we have successfully partnered to make the necessary changes in the way we do the business of child welfare in Los Angeles County to best serve the needs of children and families."

Ms. Trish Ploehn, Director, Los Angeles County Department of Children and Family Services

Since 2003, in Los Angeles County there has been a five month reduction in the average time from TPR to adoption finalization.

Blueprint for Change:

Where Are We Now. . .What Challenges Do We Face?

Since 1997, the Adoption Project has set an example for what the participation and involvement of outside child advocacy organizations can accomplish if they are willing to partner with their child welfare agency and judicial system to overcome longstanding institutionalized attitudes and systemic inadequacies and initiate transformative change in its community. Foster children deserve permanency, and adopting parents willing to provide that should not be deterred by a failing system.

The Alliance and Public Counsel have played a crucial role in providing direct services in individual cases as well as identifying systemic issues and proposing solutions to the problems plaguing the Los Angeles foster care system. They were able to finalize large numbers of adoptions due to the innovative Adoption Saturday program and the continued success of recruiting, training and retention of a large and diverse corps of *pro bono* attorneys to represent adopting parents.

Of course, it must be recognized that systemic reform is a long and ever-changing process. Some of The Project's reform efforts have yet to be fully implemented, and new challenges, such as the nation's current economic downturn, increase pressures on families, which may result in maltreatment and larger caseloads for family maintenance and out-of-home care. The need for continued improvements in achieving timely legal permanency for children in foster care is ever-present. Los Angeles County faces the fact that its overall timeline from the initial entry of children into foster care to adoption finalization still remains well below the federal standard.

If the Adoption Project ceased to exist, if *pro bono* legal services for adopting parents were no longer accessible, the Los Angeles County foster care system would lose an integral component in the process of moving children out of foster care into loving, permanent homes. The Alliance for Children's Rights and Public Counsel Law Center remain steadfast in their commitment to this work.

Milestones:

A Trajectory of Progress

June 27, 1997 – Judge Nash issues Blanket Order establishing the necessary judicial protocols, orders, and referral procedures for the joint Adoption Project.

July 1997 – The Alliance and Public Counsel each receive their first set of adoption cases (totaling 230 cases) from the original backlog, in which children had been waiting for years for their adoptions to be finalized.

August 29, 1997 – The Alliance and Public Counsel submit joint proposal to Stuart Foundation to fund the Adoption Project, by which they joined forces with DCFS and Los Angeles County Juvenile Court to "expedite adoptions of children in the foster care system," "create systemic changes for foster children in Los Angeles County," and build "a model for joint government/nonprofit collaborations."

December 11, 1997 – Stuart Foundation approves funding grant over two years (1997 – 99) to The Alliance and Public Counsel to support the Adoption Project.

December 22 and 23, 1997 – First-ever "Adoption Days" are held at Edmund D. Edelman Children's Court.

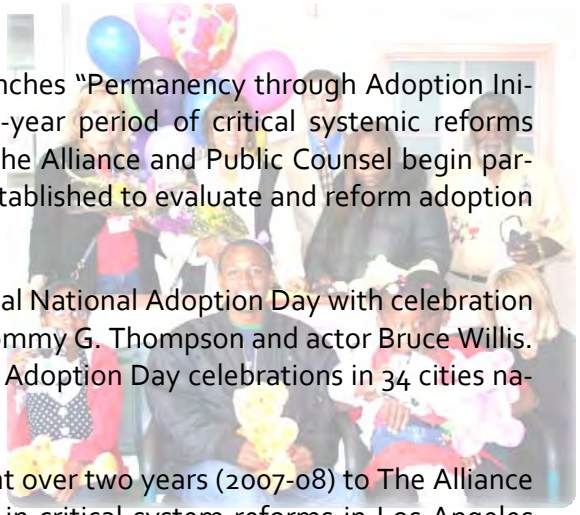
April 25, 1998 – First-ever "Adoption Saturday" is held at Children's Court, with 130 children's adoptions finalized.

December 1999 – By end of initial two-year Stuart Foundation grant, 2,500 adoptions were finalized by The Alliance and Public Counsel.

November 18, 2000 – First-ever "National Adoption Day" held at the Children's Court and courthouses in ten other cities around the country. National Adoption Day celebrated on the Saturday before Thanksgiving each year and modeled on "Adoption Saturday" program developed in Los Angeles. On this day, 1,100 foster children's adoptions finalized in Chicago, Columbus, Dallas, El Paso, Fort Worth, Ithaca, Los Angeles, New York City, Omaha, Sacramento, and Washington, D.C.

December 2001 – By end of second two-year Stuart Foundation grant, another 4,228 adoptions were finalized by Public Counsel and The Alliance, bringing the total to 6,700 children's adoptions.

December 10, 2001 – Stuart Foundation approves grant over two years (2002-03) to The Alliance and Public Counsel to investigate and finalize the 650 oldest, most problematic adoption cases backlogged in the Los Angeles County dependency system. Became known as the "Adoption Backlog Initiative.



2002 – DCFS Adoption Division Chief Trish Ploehn launches "Permanency through Adoption Initiative" that led to phased implementation over five-year period of critical systemic reforms needed in LA County's foster care adoption system. The Alliance and Public Counsel begin participation as key stakeholders in various workgroups established to evaluate and reform adoption process.

November 23, 2002 – Children's Court hosts third annual National Adoption Day with celebration featuring U.S. Health and Human Services Secretary Tommy G. Thompson and actor Bruce Willis. More than 1,400 children adopted as result of National Adoption Day celebrations in 34 cities nationwide.

December 18, 2003 – Stuart Foundation approves grant over two years (2007-08) to The Alliance and Public Counsel to participate as key stakeholders in critical system reforms in Los Angeles County that will reduce the time to complete adoptions; become involved earlier in adoption cases by receiving referrals at time of home study approval or adoptive placement, to assist in removing barriers that could delay adoption finalization; and advocate for children to receive benefits and services needed for adoptions to succeed. Became known as "Early Involvement Initiative."

April 29, 2004 – The Alliance and Public Counsel distribute *Backlog Barriers Summary* and *Adoption Backlog Initiative Findings and Recommendations Report* at completion of the Adoption Backlog Initiative funded by the Stuart Foundation as part of the Adoption Project.

July 31, 2004 - Gibson, Dunn & Crutcher finalizes 2,000th adoption on Adoption Saturday.

October 18, 2005 – The Alliance, Public Counsel and *pro bono* counsel Gibson, Dunn & Crutcher file class action lawsuit in Los Angeles Superior Court (*Edward F. et al. v. Harbor Regional Center et al.*) requesting an injunction ordering the Los Angeles Regional Centers to perform their legal duties to assess the needs of foster children with developmental disabilities as necessary for DCFS to provide specialized rates of AAP benefits supporting the adoption of these children.

November 19, 2005 – Public Counsel marks finalization of 5,000th adoption.

October 4, 2006 – Los Angeles Superior Court Judge Carolyn Kuhl grants the injunction in the *Edward F. case,* securing the needed specialized AAP benefits that had been denied and had delayed adoptions for hundreds of the most disabled children in Los Angeles foster care system.

December 2006 – By end of three-year Early Involvement Initiative, another 3,350 adoptions finalized by The Alliance and Public Counsel, bringing total to over 10,600 adoptions.

November 17, 2007 – National Adoption Day is celebrated in all 50 states nationwide, and Children's Court in Los Angeles marks 10th year of Los Angeles Adoption Saturday program. Record 4,300 adoptions finalized as part of National Adoption Day. Friday, November 16, 2007, National Adoption Day is celebrated at White House.

December 31, 2008 – By end of final grant from Stuart Foundation, total of 14,500 adoptions finalized since the Adoption Project's inception in 1997.

Participating *Pro Bonos*

Law Firms • Bar Associations • Law Schools

Akin, Gump, Strauss, Hauer & Feld
Allen, Matkins, Leck, Gamble & Mallory
Alschuler, Grossman, Stein & Kahan
Alston & Bird
Anderson, McPharlin & Conners
Arnold & Porter
Association of Corporate Counsel (ACCA-SoCal)
Baker & Hostetler
Barry Bartholomew & Associates
Beverly Hills Bar Association
Bingham McCutchen (McCutcheon, Doyle, Brown & Enersen)
Black Women Lawyers Association
Brobeck, Phleger & Harrison
Bryan Cave
Buchalter, Nemer, Fields & Younger
Burbank City Attorney's Office
Cedars-Sinai Medical Center
Chadbourne & Park
Chapman, Glucksman, Dean, Roeb & Barger
Christensen & Miller
Countrywide Legal Dept
Dalina Law Group, PC
Davis, Wright & Tremaine
Dewey & LeBoeuf (Dewey Ballantine)
Dickstein Shapiro
DLA Piper (DLA Piper Rudnick Gray Cary)
Dreier, Stein, Kahan, Browne, Woods & George
Federal Public Defender's Office
Foley & Lardner
Folger Levin & Kahn
Gibson, Dunn & Crutcher
Greenberg & Bass
Greenberg Glusker Fields Claman & Machtinger
Haight, Brown & Bonesteel
Hancock, Rothert & Bunshoft
HBO Entertainment
Heller Ehrman (Heller, Ehrman, White & McAuliffe)
Hilton Hotels Corporation Legal Department
Hinshaw & Culbertson
Hogan & Hartson
Holland & Knight
Howrey (Howrey, Simon, Arnold & White)
Hughes, Hubbard & Reed
Irell & Manella
J.P. Morgan
Jeffer, Mangels, Butler & Marmaro
Katten Muchin Rosenman (Katten, Muchin, Zavis & Rosenman)
Kaufman & Broad (in house counsel)
Kaye Scholer
Kirkland & Ellis
Kirkpatrick & Lockhart
Knapp, Peterson & Clark
Latham & Watkins

Liner, Grode, Stein, Yankelevitz, Sunshine Regenstreif & Taylor
Loeb & Loeb
Los Angeles City Attorney's Office
Los Angeles County Bar Association
Los Angeles County Bar Association, Barrister's
Loyola Law School Alumni Association
Manatt, Phelps and Phillips
Mayer Brown (Mayer, Brown & Platt) (Mayer, Brown, Rowe & Maw)
McDermott, Will & Emery
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Morrison & Foerster
Motion Picture Association
Munger, Tolles & Olson
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Pasich & Kornfeld
Paul, Hastings, Janofsky & Walker
Pepperdine School of Law
Perkins Coie
Pillsbury Winthrop Shaw Pittman (Pillsbury, Madison & Sutro)
Preston, Gates & Ellis
Reed Smith (Crosby, Heafey, Roach & May)
Riordan & McKinzie
Robins, Kaplan, Miller & Ciresi
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Waller Lansden Dortch & Davis
Weiss & Yourman
White & Case
Winston & Strawn
Women Lawyers Association of Los Angeles
Zurawski & Jardine

Plan An Adoption Day

Based on the Los Angeles Adoption Saturday model, here's an outline for counties or jurisdictions in California or any other state that have an interest in starting their own Adoption Days:

Form your Planning Committee. Involve a wide range of adoption resources – include representatives from the local juvenile court, the department of children and family services, CASA, attorneys who finalize adoptions, children's rights agencies, local adoption agencies, and local adoptive parents groups.

Recruit your *Pro Bono* Attorneys. Encourage your judicial system and child welfare agency to use law firms and attorneys to finalize adoptions *pro bono*. Recruit *pro bono* attorneys to volunteer their time to finalize cases they have prepared with the child welfare agency for Adoption Saturday.

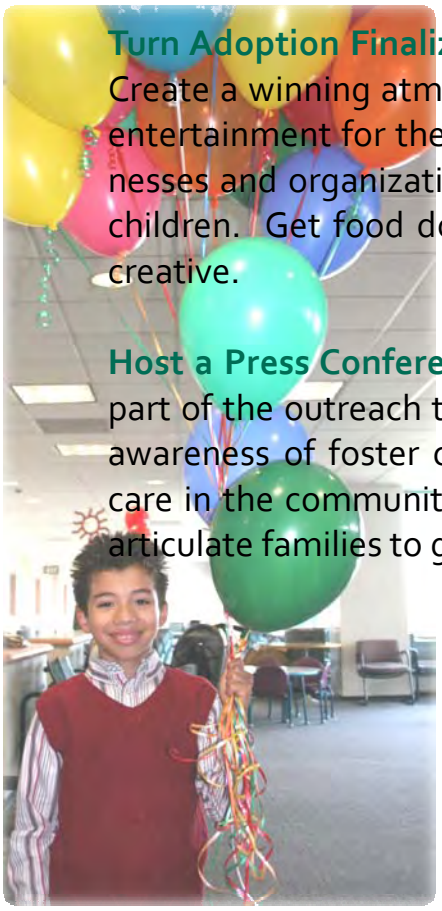
Train Your Professional Volunteers. Give your volunteer individual lawyers and law firms the training and materials it will take for them to work efficiently. Assess the size of the caseload each will be able to well-manage. Groups such as children's rights groups or your local bar association can help train lawyers and assist them with the appropriate paperwork and finalization hearings.

Try a "Paper Day". Some *pro bono* firms employed a method dubbed "Paper Day". Pick a Saturday several weeks before Adoption Saturday for attorneys to meet with families and complete the necessary paperwork and documents to be filed.

Secure your Saturday. The presiding judge of the juvenile court or family court agrees to open the courthouse on a Saturday just to complete adoption cases. Plan enough time for the attorneys to prepare the legal paperwork.

The Presiding Judge Recruits Staff. Under the presiding judge's leadership, judicial officers, bailiffs, court clerks and other personnel volunteer their time. The court must coordinate with its court staff and security as well as the judicial officers in order to open the doors on a Saturday.

DCFS Commits to Deadlines. Once the court has agreed to participate, the local department of children and family services must agree to complete their steps and paperwork in a timely manner. With the court is on board, your presiding judge's presence helps inspire DCFS efforts to streamline the home study process and adoptive placement and keep the bureaucratic process moving at optimum speed.



Turn Adoption Finalizations into a Celebration for Adoptive Families. Create a winning atmosphere, with balloons, refreshments, activities or entertainment for the children, photography, gift bags, etc. Local businesses and organizations may be asked to donate gifts for the adopted children. Get food donations, disposable cameras for the families...be creative.

Host a Press Conference. The presiding judge of the juvenile court, as part of the outreach to the media, lends his or her presence to increase awareness of foster care adoption and the needs of children in foster care in the community for permanent, loving families. Enlist outgoing, articulate families to give interviews as well.

For more tips go to **www.nationaladoptionday.org**
This is the website of the National Adoption Day Coalition and contains information about how to plan a National Adoption Day

Use Media to Promote Adoption Days

The Los Angeles Superior Court and DCFS public information offices, as well as The Alliance and Public Counsel, invited the media to attend the initial 1997 and 1998 Adoption Saturdays, and have continued to do so for every one since.

Adoption Saturdays, especially now **National Adoption Day**, have generated significant media attention, with stories highlighting adoptive families appearing and local and national television news and local English and Spanish newspapers. Media coverage can assist in prompting further changes in the system. Work with the presiding judge of the juvenile court to ease restrictions on media coverage to allow cameras in the courtroom. The court can create protocols and court orders and forms allowing media coverage and specifying the limitations.

Media Coverage...

- **Increases the visibility and viability of the foster children's adoption process.**
- **Promotes success stories that encourage new potential parents to consider adoption.**
- **Motivates child welfare agencies and challenges attitudes to move toward a system-wide view that adoption is preferable to long- term foster care.**

On Adoption Saturday, the court's only business is to complete adoptions. The media will be drawn to compelling stories of children in foster care finding permanent, loving homes. This puts a human face on the issue of children in foster care waiting for adoption.

- **Unlike the daily business of the dependency court, it is a joyful and happy occasion.**
- **Make it a festive, celebratory environment to draw the media.**
- **Set-up balloons, teddy bears, signage.**
- **Pre-select, prepare and have adoptive families ready to tell their adoption stories to the media.**
- **Create materials for media - press advisories, releases, and handbooks for adoptive parents.**

Adoption Assistance Program (AAP). The Adoption Assistance Program is a federal program of financial assistance for the adoption of children with special needs. The amount of AAP benefit is based on the needs of the child and circumstances of the adoptive parents. While there is eligibility criteria, all adopted children who were dependents of the juvenile court qualify for AAP benefits. Generally, the adoptive child is eligible to receive AAP until the age of 18. In some cases, where the child has a mental or physical disability, he or she might receive AAP Program benefits until age 21. A child who qualifies for AAP benefits is also eligible for health care services through the state Medicaid program (called Medi-Cal in California).

Adoption Home Study. The social investigation, study and preparation of a family who wishes to adopt. Also, the written assessment produced by the adoptions social worker at the end of the adoption home study process and submitted to the supervising adoptions social worker for approval.

Adoption Liaison. A new DCFS job position created in 1997 which demonstrated their commitment to the nascent adoption protocol. Located at the children's court, this social worker, who does not have an assigned caseload, helps facilitate communication and coordination between DCFS and The Alliance or Public Counsel.

Adoptive Placement and Adoptive Placement Agreement. Adoptive placement is the point at which a child begins to live with prospective adoptive parents or, in the case of foster care adoption, the point at which the status of the child's placement in the home changes from foster care to adoption. The adoptive placement agreement is a contract between DCFS and the prospective adoptive parents, which marks the official placement of the child in the home for the purpose of adoption. Once signed, foster care payments stop and AAP benefits can begin, however, the adoption is not yet finalized.

The Alliance for Children's Rights ("The Alliance"). The Alliance for Children's Rights is protecting the rights and futures of abused and impoverished children throughout Los Angeles County, in hopes of creating a world in which all children are able to have a safe and permanent family, access to quality health care, a quality education, and all of the support and services they so rightfully deserve.

Founded in 1992, The Alliance for Children's Rights has helped more than 50,000 children throughout Los Angeles County: children who are living in foster care, children with learning disabilities, children who need medical treatment or public benefits, and children in need of legal guardianship or adoption.

Through direct legal services, community education, and advocacy, The Alliance's diverse programs are not only serving the immediate needs of children and families, they are also helping to create systemic change that will protect the future of children for generations to come.

California Department of Social Services (CDSS). The state agency that oversees all social services in California, including as the designated single state agency charged with administration of the AFDC-FC and AAP programs. CDSS operates under the umbrella of the California Health and Human Services Agency.

Comfort for Court Kids. Founded in 1991 by attorney L. Ernestine Fields to help abused and neglected children cope with their experiences at Dependency Court. On National Adoption Day and the other dates set at the Los Angeles County Children's Court specifically as Adoption Fridays, Comfort for Court Kids participates in the joy of permanency by supplying a teddy bear for each adopted child as well as an siblings who are present at the adoption hearing.

Court Appointed Special Advocate Association (CASA). The mission of the National Court Appointed Special Advocate (CASA) Association, together with its state and local members, is to support and promote court-appointed volunteer advocacy for abused and neglected children so that they can thrive in safe, permanent homes.

Department of Developmental Services (DDS). The state agency responsible for administration of the Lanterman Developmental Disabilities Services Act, under which the State of California provides services and supports to individuals with developmental disabilities. These disabilities include mental retardation, cerebral palsy, epilepsy, autism and related conditions. Services are provided through state-operated developmental centers and community facilities, and contracts with 21 nonprofit regional centers.

DCFS Adoption Division. The mission of the Adoption and Permanency Resources Division is to recruit, study, prepare and support families to provide healthy, stable, loving and permanent homes to children who cannot safely live with their birth parents. It welcomes all capable families – regardless of age, sex, race, ethnicity, religion, sexual orientation, gender identity or expression, martial or domestic partnership status, physical characteristics, national origin, medical status or disability status – to help us fulfill this mission.

Dependency Court Legal Services (DCLS) / Children's Law Center of Los Angeles (CLC). At the start of the Adoption Project, Dependency Court Legal Services was the name of the organization representing minors in dependency proceedings; now known as Children's Law Center of Los Angeles. Children's Law Center was created by the Superior Court in 1990 to serve as appointed counsel for children who have been abused, neglected, or abandoned and are under the protection of the Los Angeles County Juvenile Dependency Court system. CLC represents more than 90% of the children under the jurisdiction of the dependency court.

CLC attorneys appear on behalf of children in day-to-day dependency proceedings and also provide representation in a host of related hearings that seek to ensure the well being and future success of each child, including adoption finalization.

Indian Child Welfare Act of 1978 (ICWA). ICWA is a Federal law that takes precedence over the local adoption laws of every state and gives Native American Indian Nations and Tribes, including the Alaskan Aleuts, the right to control adoptions that involve their tribal members, the children of their tribal members, those individuals that could become tribal members, or even those individuals that a tribe would otherwise give appropriate recognition to under the terms of ICWA, even though the required tribal affiliation has not yet been formally established. ICWA applies to cases that involve both voluntary and involuntary terminations of parental rights, as well as to the adoption of Indian children or their placement in foster care.

Los Angeles County Department of Children and Family Services (DCFS). DCFS is the county agency responsible for administration of Los Angeles County's foster care system, including the administration of AAP benefits paid by federal, state, and county funds. DCFS, with public, private and community partners, provides quality child welfare services and supports so children grow up safe, healthy, educated and with permanent families.

Los Angeles Juvenile Dependency Court. Dependency is one the three types of proceedings that makes up the Los Angeles Juvenile Court. Dependency proceedings involve the protection of children who have or are at risk of being seriously abused, neglected or abandoned. Dependency Court is almost entirely centralized at the Edmund D. Edelman Children's Court in Monterey Park, CA. Twenty courts are located there. There is one additional Dependency Court satellite at the Alfred J. McCourtney Juvenile Justice Center in Lancaster, CA.

Medi-Cal. Medi-Cal is California's Medicaid program. It is a public health insurance program which provides needed health care services for low-income individuals including families with children, seniors, persons with disabilities, foster care, pregnant women, and low income people with specific diseases. Medi-Cal is financed equally by the State and federal government.

National Adoption Day. National Adoption Day was started in 2000 by The Alliance for Children's Rights through the generous support of the Freddie Mac Foundation, the Dave Thomas Foundation for Adoption, and others. Today, National Adoption Day is celebrated in all 50 states, the District of Columbia, Guam, and Puerto Rico as more than 300 events are held each year throughout the country to finalize the adoptions of children in foster care, and to celebrate all families who adopt. In total, more than 25,000 children have been adopted from foster care as part of National Adoption Day.

***Pro Bono*:** From the Latin *pro bono publio*, "for the public good". Phrase used to describe professional services that are provided free of charge, most commonly by an attorney.

Public Counsel Law Center ("Public Counsel"). Public Counsel is dedicated to advancing equal justice under law by delivering pro bono legal services to indigent and underrepresented children and adults throughout Los Angeles County, ensuring that other community-

based organizations serving this population have legal support, and mobilizing the pro bono resources of the community's attorneys and law students.

Public Counsel was founded by the Beverly Hills Bar Association in 1970. Initially called the Beverly Hills Bar Association Law Foundation, it was the first bar-sponsored public interest law firm in the country.

In 1977, the Los Angeles County Bar Association joined the Beverly Hills Bar Association as a sponsor of the Law Foundation. This joint endeavor resulted not only in a name change to Public Counsel, but also in an expansion of the organization's purposes and goals. Direct involvement in public interest litigation was coupled with a mandate to mobilize and coordinate *pro bono* efforts of the Los Angeles legal community to serve the poor.

Ready Referral. The referrals received by Public Counsel and The Alliance from DCFS at the point when the case was ready to finalize came to be known as "ready referrals". A case is considered ready to finalize when parental rights have been terminated; there is no appeal of the TPR or any was resolved; home study has been approved; adoptive placement papers signed; and case is transferred within DCFS to its Completions Unit.

Regional Centers. The 21 nonprofit California corporations located throughout the State of California responsible for serving children and adults with developmental disabilities, and which are created by and operate under the Lanterman Act. The regional centers serve as a local resource to help find and access the services and supports available to the individuals they serve.

Specialized Care Rate. The appropriate Foster Care/Adoption Assistance Program (AAP) rate for a child is based on the condition/special needs of the child and on specific activities that must be performed by the caretaker. Children may receive a higher Specialized Care Rate ("D", or "F" Rate or Dual Agency Rate) if they have impairment or need assistance in daily living skills, need for medical or developmental regimen, if he/she has a life threatening illness, or if there are developmental or mental disabilities present. If a child is receiving the appropriate level of foster care payments, he/she should receive the same rate when transferred to AAP payments.

Termination of Parental Rights (TPR). The court ordered severing of all legal rights and responsibilities of birth parents from their biological child.

Index of Original Supportive Materials

AAP Inquiry Form

Adoption Backlog Initiative Findings and Recommendations Report (April 29, 2004)

Alliance Rights of Adoptive Parents Brochure

Alliance Information for Adopting Parents (Birth Certificate) Flyer

Alliance Adoption Tax Credit Information Flyer

Alliance National Adoption Day Brochure

Alliance General Brochure

Alliance Pro Bono Adoption Training Manual & Case Summary Materials

Alliance Specialized Care Rates Summary Guide

Alliance 4-Step Tool for Resolving Backlog Cases

Adoption Protocol

Adoption Referral Form (minor's attorney)

Backlog Barriers Summary Report

Blanket Order

D and F Rate Indicator Forms

Public Counsel Adoption Tax Credit Information Flyer

Public Counsel Adoption Training Manual

Public Counsel Information for Adopting Parents Brochure

Public Counsel Quick Reference Guide to Foster Care/AAP Rates for Children with Special Needs

Ready Referral Forms from DCFS

Status Checklist for Dependency Court Judicial Officers

To obtain a copy of any of the above-listed documents, please contact:

Public Counsel Law Center	**The Alliance for Children's Rights**
(213) 385-2977, ext. 295	(213) 368-6010 ext. 107
www.publiccounsel.org	www.kids-alliance.org

During the creation and past 10 years of the Adoption Project,
many staff and board members of Public Counsel and The Alliance
have been critical to its development and success.
While we cannot thank everyone,
we would like to mention a few key supporters:

Cynthia Billey
Andrew Bridge
Dan Grunfeld
Steve Meiers
Juli Newhouse
Steve Nissen
Judge Amy Pellman
Idanys Pomares-Molina
Anderson Stone
Karen Ullman
Virginia Weisz
Daphna Ziman

The Alliance *for* Children's Rights

Public Counsel
LAW CENTER

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