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Foster Care

Can the system handle soaring demand?

Increasing demand for foster care and adoption services is overwhelming state and private child-placement agencies across the country, a trend stemming largely from parental opioid abuse that has shattered families and orphaned thousands of children. Overworked caseworkers are boarding children in hotels, state offices and even cars while they scramble to find homes for them, even as many states cut spending on programs that benefit children and families. Meanwhile, many child welfare caseworkers and foster parents are leaving the system, citing work-related stress and the strains of caring for young victims of abuse or neglect. Some child welfare experts see hope in a new federal law that prioritizes programs aimed at keeping families together, but others worry the law will divert resources from foster care services for children with behavioral problems. At the same time, some tax-supported, faith-based child welfare agencies have refused to place children with prospective LGBT foster or adoptive parents, igniting a bitter cultural debate and legal battles over religious rights.

Rebeka Romero hugs her sons Joseph, 8, left, and Travis, 10, after finalizing their adoptions on Nov. 16, 2017, in Denver. Romero and her husband initially raised the boys – along with their sister, Lilly – as foster children. Some child welfare advocates worry that a federal law enacted in February will divert resources from programs designed to find adoptive families for foster children.

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FOSTER CARE

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Foster Care

By Kay Nolan

The Issues

Drug abuse, poverty and declining resources have created a crisis for foster care agencies, child welfare officials say, with the impact felt in states throughout the country:

• In Florida last February, as many as a dozen foster children were forced to live in cars in a gas station parking lot because their caseworkers could not find beds for them.

• In Pennsylvania, state officials desperate to find new foster families began running public service ads on TV in March, the first such recruitment drive in a decade.

• In Indiana, the number of children in foster care has more than doubled since 2014, largely because of parental opioid addiction, officials say.

"It has just exploded our systems," said Judge Marilyn Moores, who presides over juvenile court in Marion County, which includes Indianapolis, the state's largest city. [1]

A major factor, child advocates say, is a nationwide epidemic of opioid addiction that is destroying families and overwhelming foster care systems, even as many states cut spending on programs that benefit children and families. About 92,000 children were removed from their homes in fiscal 2016 because parents were abusing opioids or other drugs, according to the most recent federal figures. [2]

Meanwhile, in at least half of the states, the number of foster homes fell between 2012 and 2017, according to the *Chronicle for Social Change*, an online news source that works to improve child welfare services. Twenty states managed to add foster beds, but in 11, the increase in the number of foster children far outstripped the expanded supply. [3]

"Most states already face a big gap between the number of children who need families and foster homes ready to receive them," said Jedd Medefind, president of the Christian Alliance for Orphans in McLean, Va., which works to improve foster care and adoption services. "The opioid crisis is widening the gulf further still." [4]

AP Photo/Susan Haigh

Shannon Smith, left, and his husband, Ross Stencil, pose with their adopted sons, Giovanny (front left) and Louis, in West Hartford, Conn., on May 17, 2018, the same day Connecticut child welfare officials announced a campaign to recruit LGBT people to serve as foster or adoptive parents.

A new federal law — the Family First Prevention Services Act — is expected to remake the nation's foster care system. Passed in February, the law allows states, for the first time, to tap federal foster care dollars to help struggling parents at risk of losing custody of their children. The law's backers say it will make foster care less necessary, but critics worry it will increase the demand for foster and adoptive families while diverting resources from efforts to recruit and retain them.

Further complicating the picture, cultural conflicts have emerged in some states over refusals by publicly funded faith-based foster care and adoption groups to place children with LGBT couples.

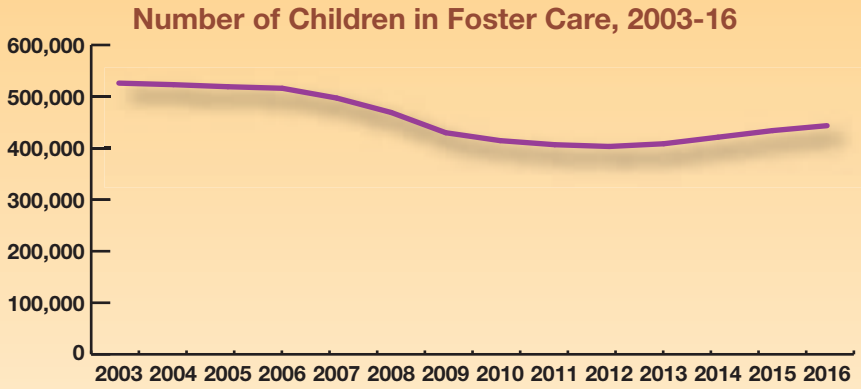
The Trump administration's discontinued practice of separating undocumented immigrant families also has strained foster care resources, say child welfare advocates, with thousands of migrant children taken from their parents at the U.S.-Mexico border from April to June ending up in foster homes and shelters across the country.

"They're crippling an already overwhelmed system," said Michelle Brané, director of migrant rights and justice at the Women's Refugee Commission, a New York City organization that works to help women and children victimized by conflict. [5]

Child welfare agencies also have had to find homes in recent years for hundreds of thousands of unaccompanied children who crossed the Southwest border without permission or who were left stranded in the United States after their parents were deported for entering the country illegally.

Opioids Drive Caseload Rise

The number of children in foster care declined steadily between 2003 and 2012 but began rising after that. Child welfare experts attribute the increase largely to the national epidemic of opioid addiction that has left many parents unfit or unavailable to care for their children.



Source: "Adoption & Foster Care Statistics," Children's Bureau, U.S. Department of Health and Human Services, Oct. 20, 2017, https://tinyurl.com/y8wqrj4v

The nation's foster care system includes state agencies, nonprofits and private for-profit contractors who provide temporary homes to children whose parents are unable, unfit, unwilling or unavailable to care for them. A federal agency — the Children's Bureau in the Department of Health and Human Services — reimburses states for some of the costs of providing foster care and adoption assistance for children. The bureau spent about $8 billion in fiscal 2017. [6]

The number of children in foster care peaked at 567,000 in 1999, then dropped steadily through fiscal 2012, according to federal statistics. By fiscal 2016, it had increased 10.2 percent — from 397,000 to 437,500. (*See graphic, above.*) While official numbers are not available for 2017 and 2018, researchers estimate that about 500,000 children are in foster care today. [7]

"It's pretty much every state . . . that [has] seen an increase in the number of children in foster care," said John Sciamanna, vice president of public policy at the Child Welfare League of America, a coalition of public and private agencies in Washington that serves vulnerable children and families. "What you are seeing now is just a straining of the system." [8]

And in many states, foster care numbers have surged in recent years because officials have created hotlines that urge the public to report possible cases of abuse or neglect.

In some states, legislators have cut programs that help the poor, leading to more cases of child abuse and neglect, and boosting the number of children in foster care, experts say. In Arizona, for example, the five ZIP codes where children are most likely to be removed from their homes and placed in foster care all have high poverty rates. [9]

State budget cuts also have added to problems facing child welfare agencies, which rely partly on state funding to reimburse foster parents' expenses and recruit new foster and adoptive families, according to a May report from the Government Accountability Office (GAO), the investigative arm of Congress. [10]

Recruiting minority adoptive families is particularly difficult, which helps explain why African-American children spend more time in foster care than others, researchers say. Black children are placed in foster care about twice as often as white children, are more likely to be moved often among placement settings and are less likely to be placed with relatives, according to John H. Laub, a University of Maryland criminology professor, and Ron Haskins, co-director of the Center on Children and Families at the Brookings Institution, a Washington think tank.

"Racial inequality touches every aspect of the foster care system," the two wrote in a recent policy paper. [11]

Opioid addiction is among the most difficult challenges facing the nation's child welfare agencies, experts say. Social workers increasingly must find temporary homes for the children of addicted parents, and thousands of children have been orphaned by opioid overdoses.

A study by the University of South Florida's College of Public Health found that for every additional 6.7 opioid prescriptions written per 100 people, the rate that children were removed from homes due to parental neglect rose 32 percent. Indiana, Florida, Georgia and West Virginia — each of which has a high rate of opioid abuse — were among states with the largest increases in foster children between 2015 and 2016. [12]

Many child welfare experts say the damage that parental drug addiction inflicts on families justifies removing children from those homes. But others say adults who abuse drugs are not necessarily bad parents, and separating families is so traumatic for children that child welfare agencies should keep families intact while ensuring that the parents receive drug treatment.

Foster care is supposed to be temporary: The system's ultimate goal is to reunite foster children with their birth parents or arrange for them to be adopted. But about 118,000 foster children were awaiting adoption in fiscal

2016 because they were too young to leave foster care and could not reunite with their birth families, according to the latest federal data. About half of the children who left foster care that year were reunited with their families, and 23 percent were adopted. [13]

Some child welfare advocates view LGBT couples as a crucial foster care resource. Research shows that same-sex couples are much more likely than heterosexual couples to become foster or adoptive parents. [14] "The last decade has seen a sharp rise in the number of lesbians and gay men forming their own families through adoption, foster care, artificial insemination and other means," according to the American Civil Liberties Union (ACLU). [15]

But some states have enacted "religious liberty" laws allowing publicly supported faith-based foster care and adoption groups to refuse to place children with same-sex couples. Supporters of the laws note that some faith-based groups have stopped offering foster care or adoptive services rather than serve LGBT families and say states need as many foster care and adoption providers as possible. Critics of the laws say they amount to state-sanctioned discrimination.

Good caseworkers are crucial to the foster care system, but work-related stress is causing many to seek other jobs. An estimated 20-40 percent of caseworkers quit each year, double the 10-12 percent rate considered optimal, according to Casey Family Programs in Seattle, which consults with child welfare systems throughout the country. [16]

"I have personally cried at work," said Rosanne Scott, a caseworker in Oregon's child welfare system. "It's a very high-stress job." [17]

Foster parents face their own pressures, with about half quitting within the first year, according to child advocates. Irene Clements, executive director of the National Foster Parent Association in Pflugerville, Texas, blames a "lack of support, poor communication with caseworkers, insufficient training to address a child's needs and the lack of a say in the child's well-being." [18] Such complaints can be particularly common among foster parents raising severely traumatized children with serious behavioral problems. (*See sidebar, p. 620.*)

In some cases, limited placement options for foster children and poor agency management practices have endangered children's safety. In Oregon, for example, caseworkers unable to find homes for foster children have housed them in hotels and state offices, leading to reports of abuse and neglect, according to an audit released last January by Oregon's secretary of state. It called the state's child welfare system "disorganized, inconsistent and high risk for the children it serves." [19]

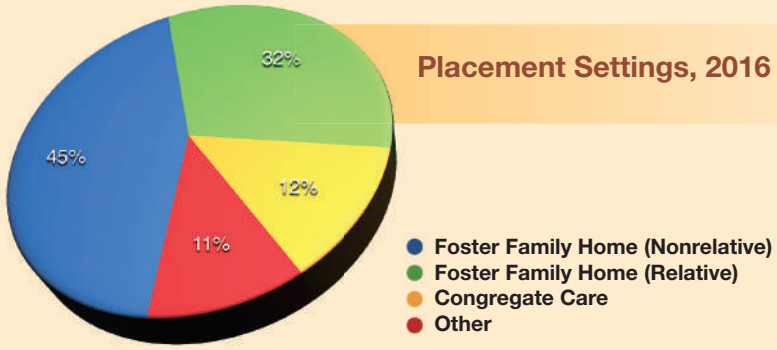
A 1997 federal law requires states to quickly reunite foster children with their birth parents or find a family to adopt them. But many foster children come of age without finding permanency, some living in 20 or more homes before turning 18. Research shows that, as young adults, they experience higher rates of homelessness, unemployment and incarceration than other children. In 2016, some 20,500 foster children aged out of the foster care system without a permanent family. [20] (*See sidebar, p. 620.*)

SailFuture, in St. Petersburg, Fla., takes an innovative approach to teaching troubled foster care teens the social and coping skills they will need as adults. The teenagers spend three-month stretches twice a year on a sailboat, cooking meals on board, cleaning and doing schoolwork under the guidance of adult mentors. The remainder of their time until they reach age 18 is spent in one of two group homes the program operates.

"Our goal is to redesign the system," says Michael Long, SailFuture's founder. "The way it is now is a result of people giving up and saying, 'No matter what we do, these kids can't be saved, so let's not put any more energy into trying to do this better.' We say, 'This kid isn't doing bad things because he's a bad person. Maybe it's because a lot of people have done bad things to him and he doesn't know how to grapple with it.' "

Most Foster Children Placed With Families

More than three-quarters of children in foster care are placed with families, either relatives or nonrelatives, according to the most recent federal data. Only 12 percent are placed in congregate care: group homes, shelters or institutions. Researchers have found that foster children raised in family settings have significantly better outcomes than those raised in congregate care.



Source: "The AFCARS Report," Children's Bureau, U.S. Department of Health and Human Services, Oct. 20, 2017, https://tinyurl.com/ycg7tosv

Overall, foster children are more likely than other children to have developmental and mental health problems, and many experience abuse and neglect while in the care of foster parents or at group homes. [21]

Schylar Baber, executive director of Voice for Adoption, a lobbying group in Washington that advocates for foster children awaiting adoption, lived in 11 different foster homes, three group homes and two residential treatment centers while growing up. He says he was abused in some of those settings.

"The best outcome for children is in a permanent, loving family," says Baber. "Foster care was never intended to be a long-term solution."

As foster care officials and child welfare advocates debate how to cope with the ongoing crisis, here are some of the questions they are asking:

Do officials remove children too quickly from homes where the parents abuse drugs?

Drug-related foster care cases in Indiana increased more than sixfold between 2000 and 2015, leading juvenile court judge Moores to say, "This isn't a trickle. This isn't a wave. It's a tsunami." [22]

Nationwide, parental drug abuse accounted for 34 percent of foster care placements in fiscal 2016, up from 32 percent the previous year, the largest percentage-point jump among the 15 factors that led to children being placed in foster care, according to federal figures. [23]

AP Photo/Matt Sedensky

Marilyn Moores, a juvenile court judge in Indianapolis, works amid piles of case files in August 2017. Moores said the number of Indiana children removed from their homes due to parental drug abuse has reached "tsunami" levels.

An investigation by *The Hill* newspaper in Washington found that the number of children in foster care increased dramatically over the past four years in states where opioid abuse is highest. Those included Alabama (more than 30 percent), Ohio (28 percent) and West Virginia (42 percent). [24]

Child welfare experts agree opioid addiction is straining the nation's overburdened foster care system, but they disagree about whether parental substance abuse always justifies placing children in foster care.

"There is probably no more important dialogue to have in child welfare right now than the one about when children need to be removed from an addicted parent, and when they can be kept safely in the home or with family while treatment is provided," says John Kelly, senior editor of *The Chronicle of Social Change*.

Some child advocates say courts and child welfare officials often have no choice but to remove children from homes where the parents are abusing drugs, noting that parental drug abusers frequently relapse, putting children at risk of being removed repeatedly from the same home.

"Children start to miss school," says Priscilla Brown, supervisor of child protective services in Columbia County, Ga. "They miss doctor and dentist appointments. Parents might use money they'd otherwise spend on food and necessities on drugs."

Other experts counter that neglect related to drug abuse can be hard to measure, and that substance abuse is often treatable.

Drug addiction is not always a reliable predictor of an individual parent's behavior, says Dr. Mishka Terplan, a professor in obstetrics and gynecology and an addiction specialist at Virginia Commonwealth University in Richmond, Va. "There's nothing in a [drug] urine test that tells you anything about a woman's ability to safely and lovingly mother her child," Terplan says. "Urine drug tests have been used to a large extent as a parenting test, and that's a completely inappropriate use of urine drug testing."

Terplan particularly opposes the practice of placing infants in foster care if they or their mothers test positive for opioid use, saying mother-child bonding is crucial for an infant's mental health.

Fourteen states and the District of Columbia include newborns' exposure to drugs or alcohol in their definition of neglect. [25] But Terplan says babies born addicted to opioids can be treated with few or no lasting health effects.

Attitudes about drug use vary across the country, and those differences affect how quickly individual child agencies remove children from homes where a parent is abusing drugs. For example, in states that outlaw all forms of marijuana — including medical marijuana — social workers and judges tend to be less forgiving when judging parents' ability to care for their children, child welfare experts say.

Children of parents incarcerated on drug-related charges or ordered into substance abuse treatment programs can experience prolonged placements in foster care, says Susan Stoltzfus, director of communications for Seattle-based CASA for Children, a national volunteer network of court-appointed special advocates.

"The child will remain in foster care until the judge is satisfied with how the parent's treatment turned out," she says. "The challenge there is that it can sometimes take months to get into a treatment program and then months to finish it successfully."

But giving parents too many chances to rehabilitate themselves can disrupt children's lives, says Baber at Voice for Adoption.

"We hurt the youths by bouncing them back and forth between the system and mom and dad, the system and mom and dad," he says.

Will a new federal law improve foster care services?

In the past, federal health officials reimbursed states only for foster care, adoption services and efforts to reunite foster children with their birth parents — actions taken after children were removed from a home.

The Family First Prevention Services Act, proposed in 2016 and signed into law in February by President Trump as part of a larger spending bill, represents a substantial departure from that approach. As its provisions take effect over the next few years, it will prioritize spending foster care money on efforts to keep certain children — those deemed at "imminent risk" of entering foster care — with their parents, according to a report issued in February by the Congressional Research Service, the research arm of Congress. [26]

The federal reimbursements — provided as an entitlement, like Medicaid — will be available for up to 12 months and will cover the costs of mental health services, substance abuse treatment and parenting skills classes. [27]

Some child welfare professionals, however, fear that by focusing on "prevention" programs aimed at keeping families together, the new law will shortchange existing foster care and adoption programs.

"Why should adoption services be hurt?" asks Baber. "The [law] is significant because it's opening up an entitlement funding . . . to try to prevent [the need for] foster care. On the back end, there is a cost."

A key provision of Family First caps reimbursements for congregate care, which refers to nonfamily-based foster homes such as group homes, institutions and shelters. About 12 percent of foster children live in a congregate care facility. (*See graphic, p. 613.*) Congregate facilities cost state governments far more than family-based foster care. In addition, research shows they are much less effective than family-centered foster homes at helping children form attachments and develop social skills. [28]

The National Conference of State Legislatures published a statement in 2017 calling for the "least-restrictive, most family-like settings possible" for children 12 and under. [29]

Under the new law, federal officials will stop paying for children to stay in a congregate care facility past two weeks, with exceptions for teens who are pregnant or parenting and children

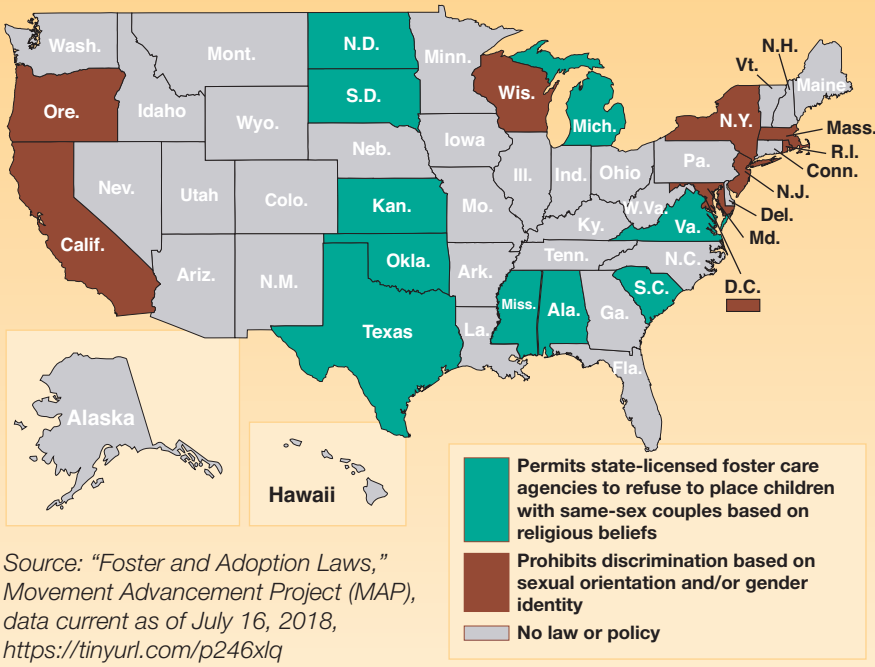
AP Photo/David Goldman

Whitney Duncan plays with her daughter, Deklyn, 3, on June 26, 2017, while visiting her at the home in Jasper, Ga., where Deklyn was staying with her grandmother. After failing a drug screening in 2016, Duncan was given a choice between giving up her daughter to foster care or letting a family member temporarily raise her while Duncan received treatment for opioid addiction. The opioid crisis has overwhelmed the nation's foster care system, with about 92,000 children taken away from drug-addicted parents in fiscal 2016.

State Laws Vary on LGBT Placements

As of mid-July, 10 states allowed tax-funded, faith-based foster care agencies to refuse to place children with same-sex couples if doing so would violate the agencies' religious beliefs. Some states including California, New Jersey and Rhode Island specifically bar such exemptions.

State Foster Care Laws and Policies



Source: "Foster and Adoption Laws," Movement Advancement Project (MAP), data current as of July 16, 2018, https://tinyurl.com/p246xlq

housed in special residential treatment facilities because their behavior problems make them too challenging for most family-based settings. [30]

Supporters of the provision say it is designed to make sure that children who would do well in a family-based setting do not end up housed in a group home, which often happens simply because not enough foster families are available.

But critics of the two-week reimbursement cap fault it for limiting congregate care to only the most severely troubled children and teens. And they say it could mean that some children in group homes — those whose behavior is not clearly problematic enough to warrant long-term congregate care — will have no place to go unless more money is spent recruiting and training foster parents who specialize in raising children with behavioral problems.

"For teens now who are in group homes or coming to the age where they will be in group homes, they [child welfare agencies] aren't going to know where to put them," says Long, SailFuture's founder. "There are tens of thousands of children living in group homes right now, and the intent of the legislation is to make it very difficult for those group homes to survive."

Most states have been working to reduce their reliance on congregate facilities. But some, including Colorado and New York, still rely significantly on group foster homes. Sheila Poole, acting commissioner of New York's Office of Children and Family Services, said Family First's cap on spending for congregate care means counties may have to increase their spending by up to 50 percent for some foster children. [31]

Under the new law, facilities that serve foster children who are exempt from the two-week reimbursement cap must obtain special accreditation showing they comply with a long list of federal requirements for handling the most seriously disturbed foster children. [32]

But Ken Olson, who manages a congregate care facility in Maine, wonders who will pay for that accreditation. Unless states pitch in, he says, the requirement is essentially "an unfunded mandate."

Some child advocates also worry that Family First may have the unintended consequence of limiting the number of "kinship caregivers" — such as grandparents and aunts — raising the children of relatives. Soaring parental drug abuse has increasingly forced relatives into the role of foster parents, but many lack the necessary financial resources. Kinship caregivers also include people such as coaches, teachers or godparents who are not relatives but may have a family-like relationship with a child.

Under Family First, kinship caregivers will not receive reimbursement during the 12 months that a child's parents receive substance abuse treatment or other services. Some child welfare experts say that could prevent grandparents and other relatives from caring for children who have not yet officially entered the foster care system. As a result, experts say, caseworkers would have to resort to finding non-relative foster families who are already in short supply.

"Because Family First allows prevention services for the parent only if the child is *not* placed into foster care, states have little incentive to . . . license kin and get them the financial aid they so desperately need," wrote Angie Schwartz, policy program director for the Alliance for Children's Rights in Los Angeles, and Sean Hughes, government affairs director at Social

Change Partners in San Francisco, which works to enact state and federal legislation benefiting children. [33]

Nearly 2.7 million American grandparents are raising their grandchildren, according to Grandfamilies.org, a legal resource center for grandparents. [34]

In other ways, however, Family First encourages kinship caregiving. The law funds half the cost of programs that help grandparents and other family caregivers navigate foster care resources and services. Advocates hope it also will encourage states to waive certain nonsafety-related licensing standards for kinship foster caregivers, such as the size of the child's bedroom. [35]

Should publicly funded faith-based foster care and adoption groups be allowed to reject applications from same-sex couples?

The Supreme Court ruled in 2015 that same-sex couples have a constitutional right to marry. But at least 10 states — Alabama, Kansas, Michigan, Mississippi, Oklahoma, North Dakota, South Carolina, South Dakota, Texas and Virginia — allow private, state-licensed child welfare groups to refuse to place children with LGBT people and same-sex couples if doing so would conflict with the groups' religious beliefs. [36] (*See graphic, p. 616.*)

Supporters of such "religious exemption laws" and policies note that the Constitution guarantees "the free exercise" of religion, and they say children do best when raised by heterosexual parents.

"We believe that the most effective way of raising healthy and happy children is within a committed, monogamous, heterosexual family structure," says Patrick Raglow, executive director of Catholic Charities of the Archdiocese of Oklahoma City. "In the church's wisdom and experience, it offers the greatest opportunity for human thriving."

Critics of religious exemption laws counter that they amount to state-sanctioned discrimination against LGBT people and violate the 14th Amendment's guarantee of equal protection under the laws. They also point to 2013 research by the Williams Institute, a public policy research institute at the UCLA School of Law in Los Angeles that focuses on sexual orientation issues, showing that same-sex couples are about six times more likely than heterosexual couples to raise foster children and four times more likely to adopt children. [37]

"Our end goal is that kids find homes," says Mary Rohmiller, policy counsel for the Family Equality Council, an organization in New York City that advocates for LGBT families.

In 2015, nearly 27,000 same-sex couples were raising an estimated 58,000 foster and adopted children, according to the Williams Institute. [38]

Some states, including Alabama, Florida, Michigan and Nebraska, once banned adoptions by LGBT couples, but courts struck down the bans as discriminatory. Today, other states, including Maryland and Massachusetts, specifically bar adoption agencies from discriminating against gay couples. [39]

Supporters of religious exemption laws argue that faith-based agencies are well-established, effective providers of foster and adoption services, and often specialize in finding homes for foster children who are typically difficult to place, such as older children, siblings and children with special needs. The foster care system benefits from a diverse group of providers, they say.

"The point was not to force anyone else to do adoptions in accordance with Catholic belief and tradition," Raglow says of Oklahoma's religious exemption law. "The point was that people of the Catholic belief and tradition could also provide services in that arena."

AP Photo/*Bozeman Daily Chronicle*/Rachel Leathe

Heaven Reel, 18, hugs her 7-month-old daughter, Alma Ramirez, in their Bozeman, Mont., apartment in June 2017. Reel was placed in foster care at age 16 after state officials found evidence of neglect and abuse in her home. Tens of thousands of foster children turn 18 and age out of the child welfare system each year without finding permanent homes, leaving them at risk of homelessness or other problems.

Raglow estimates that 85 percent of the estimated 12,000 people his organization serves each year are not Catholic. "We don't ask them to attend services in order to get services," he says.

Faith-based foster care and adoption agencies and their backers argue that every child wants a father and a mother. "The idea that we need to protect our children from that is absurd," Republican Gov. Matt Bevin of Kentucky said June 20 at an event at the Heritage Foundation, a conservative Washington think tank. [40]

Supporters of LGBT rights disagree, saying research overwhelmingly supports the view that children raised by gay or lesbian parents do just as well, mentally and physically, as other children.

Researchers at Cornell University said that 75 of 79 credible scholarly studies conducted between 1980 and last year "concluded that children of gay or lesbian parents fare no worse than other children." The researchers also said the four studies that found otherwise were flawed because "at most a handful of the children who were studied were actually raised by same-sex parents." [41]

"Good parenting is not influenced by sexual orientation," said the ACLU. In September, the organization sued to overturn Michigan's 2015 religious exemption law, saying it violates the Constitution's guarantees of the separation between church and state and equal protection under the laws. [42]

At least three foster care and adoption agencies run by Catholic Charities, headquartered in Alexandria, Va., have closed their doors rather than comply with state laws requiring them to work with LGBT parents. Catholic Charities in Boston was first, in 2006, followed by affiliates in Washington, D.C., (2010) and Illinois (2011). [43]

"Thousands of children and foster parents were forced to leave Catholic Charities and go to other agencies," Steve Roach, executive director of Catholic Charities for the Diocese of Springfield, Ill., said of the closure in that state. [44]

If all faith-based foster care and adoption agencies shut down as an alternative to violating their religious principles, "the adoption and child welfare field would be decimated, depriving thousands of children growing up in families," Thomas Atwood, former president of the National Council for Adoption, wrote in a report for the Heritage Foundation. [45]

The Human Rights Campaign Foundation, a Washington group that advocates for LGBT people, argues that such statements are untrue and says placement rates for foster children and the length of time they spent in foster care before being adopted did not change in Illinois, Boston or Washington, D.C., after the Catholic Charities closures. [46]

"What we're hearing a lot is the argument that we need [faith-based] agencies to stay open because without them kids won't have homes, but we haven't seen any evidence to back that up, either anecdotally or in hard data," Rohmiller says.

New laws are not the only mechanisms for extending special protections to faith-based foster care groups. In March, South Carolina Gov. Henry McMaster, a Republican, issued an executive order exempting faith-based, state-licensed foster care agencies from laws barring religious discrimination. His order came after state social service officials warned a Christian foster care agency, Miracle Hill Ministries, that it was in danger of losing its license if it refused to place children with non-Protestant families. [47]

In mid-July, the House Appropriations Committee approved a budget amendment sponsored by Rep. Robert Aderholt, R-Ala., that would force states — under threat of a 15 percent reduction in federal funds — to allow faith-based foster care and adoption agencies to deny placements to LGBT homes. [48] ■

BACKGROUND

Indentured Servitude

Some of the earliest references to foster care appear in the Old Testament and in the Talmud, the text of Jewish civil law. They identify caring for dependent children as a legal duty. Records show that Christian congregations took up collections to pay qualified widows to care for other people's children, while in colonial Virginia and other places, Anglican parishes levied taxes to care for orphans and the poor.

In the 17th and 18th centuries, American colonists followed Elizabethan England's "poor laws," which made orphans or children whose parents could not care for them indentured servants, requiring them to work for other families until they came of age. The first documented example of a child placed in servitude in America was 7-year-old Benjamin Eaton in Jamestown, Va., in 1636. Local courts decided when to require children to work as servants and were authorized to collect taxes for that purpose, recognizing a governmental role in foster care. [49]

The first U.S. law recognizing the legal adoption of children was the Adoption of Children Act, passed by Massachusetts in 1851. It instructed judges to ensure that adoptions were "fit and proper" and that adoptive families were "of sufficient ability to bring up the child and furnish suitable nurture and education." [50]

Modern foster care — placing abused or neglected children with families better equipped to care for them — is rooted in a program begun in 1853 by reformer and social welfare worker Charles Loring Brace, director of the New York Children's Aid Society, which was established to help poor, homeless and delinquent youths. At the time, services for these urban children

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Chronology

1600s-1800s

Society puts poor children to work, and the beginnings of the American foster care system take root.

1700s
Courts order orphans and children whose parents cannot care for them to become indentured servants.

1851
Massachusetts passes the nation's first modern adoption law.

1853
Charles Loring Brace, a New York City minister, founds the Children's Aid Society to help destitute children.

1854
A foster care program sends immigrant and indigent children on "orphan trains" to Midwestern farms to work as laborers; the program ends in 1929 after transporting some 250,000 children.

1910s-1970s

Foster care system expands.

1910
First adoption agencies are founded, mostly in New York and Illinois.

1935
Social Security Act creates the Aid to Dependent Children program, providing help to poor children and families.

1961
Title IV of the Social Security Act allows funds from the Aid to Dependent Children program to be directed to children in foster care.

1960s
Foster care placements soar to 600,000 due to the post-World War II "baby boom" and as society adopts a philosophy of government intervention to prevent child abuse.

1974
Child Abuse Prevention and Treatment Act provides for federal funding for programs to detect and address child abuse and neglect.

1980s-1990s

Funding for foster care improves.

1980
Adoption Assistance and Child Welfare Act requires states to make "reasonable efforts" to prevent children from being removed from their parents and to have a plan for parental reunification or permanent placement in an adoptive home. Through the Title IV-E program, Congress creates a way for states to draw funding for foster care services.

1997
Adoption and Safe Families Act offers financial incentives to states to promote adoption.

1999
Foster Care Independence Act provides funding to help 18-year-olds who are aging out of foster care to finish school or find jobs. It also permits states to extend Medicaid coverage up to age 21 for foster kids.

2000-Present

Congress revises foster care laws.

2004
A Pew Charitable Trust study calls for greater accountability of courts and child welfare agencies regarding foster care, as well as more flexibility for states to design programs.

2006
Child and Family Services Improvement Act appropriates $40 million to increase caseworker visits to families and provide services such as substance-abuse treatment and parenting training.

2008
Congress offers financial incentives to states to extend foster care services to age 21 if the youths are attending school, working or have a medical condition that prevents employment.

2012
Child and Family Services Improvement Act requires states to create plans for coordinating health care services for children in foster care, including treatment for emotional trauma and appropriate use of psychotropic medications.

2014
Affordable Care Act allows states to extend Medicaid benefits to youths formerly in foster care up to age 26.

2018
The Family First Prevention Services Act is passed by Congress and signed into law by President Trump as part of a budget bill passed to avoid a government shutdown. The law allows Title IV-E federal funding to be used to help struggling families at risk of having children placed in foster care; it severely limits funding for congregate care to discourage such settings.

Training Focuses on Helping Traumatized Children

"Parents tell me all the time that the kids come into their home and can't sleep."

Diane Lanni was a dream foster parent. Educated, enthusiastic and compassionate, the Massachusetts mom of three felt fortunate to give her love and energy to other children while raising her own.

But by 2016, after 10 years raising foster children, she felt overwhelmed, burned out and largely unsupported by local child welfare agencies that she says failed to offer "any education, any support or any contact of a helpful nature."

An even bigger shock was the bewildering behavior of many of the children she took in.

"I had kids swear at me," she says. "I had a kid who tried to stab me, one who tried to set my house on fire and one who stole my car and crashed it."

Lanni remains close to many of her former foster children and says her own children loved being part of a big, multicultural family. But she agrees with medical and child welfare experts who say many foster children have behavioral problems that require special therapeutic or "treatment" care.

One widely recognized tool for providing that care is the Resource Parent Curriculum, developed in 2010 by the National Child Traumatic Stress Network, a collaborative effort by UCLA's Neuropsychiatric Institute and the Duke University Medical Center, which uses federal money to improve the standard of care for traumatized children. [1]

Chris Foreman, a liaison at the network, says the curriculum was written to teach "trauma-informed" parenting.

"Most parents live in a world where behaviors are defined as choices," says Foreman. "Traditional parenting techniques that focus on behavior modification aren't necessarily helpful when behaviors occur because of trauma instead of choice."

The curriculum teaches foster parents how trauma affects young brains, how to manage difficult behaviors and advocate for their foster children (and themselves), and how to adopt concrete strategies for helping children deal with memories of past abuse. The curriculum is designed for the full spectrum of people involved in foster care — foster, adoptive and birth parents, caseworkers and grandmothers and others raising relatives' children. [2]

Medical research confirms that removing children from homes where they have been abused or neglected does not automatically solve their problems.

Heather Forkey, a Worcester, Mass., pediatrician who directs a clinic that evaluates children's physical and mental health in foster care, says adverse childhood experiences can have lasting effects on a child's developing brain.

Such experiences cause the hippocampus — the part of the brain that helps humans access information — to atrophy, Forkey says. Traumatic experiences also hamper development of the prefrontal cortex, which is responsible for impulse control, some memory functions and the ability to adapt to unforeseen circumstances. In addition, trauma can cause the amygdala, which processes emotional reactions, to become enlarged, causing overreactions to perceived danger.

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consisted largely of orphan asylums and almshouses, where poor people were crowded together in unsanitary conditions. Brace believed country life offered a better option than orphanages in dirty, congested industrial cities like New York. He and his colleagues at the Children's Aid Society arranged for homeless children to travel on "orphan trains" to communities in the Midwest, where they performed farm work in exchange for room and board.

An 1888 advertisement in an Illinois newspaper announced that children from the New York Juvenile Asylum, mostly boys between 7 and 15, needed homes with farmers, "where they will receive kind treatment and enjoy fair advantages."

"They may be taken at first upon trial for four weeks, and afterwards, if all parties are satisfied, under indenture," the ad read. The children were to receive four months of schooling each year, and when their apprenticeship ended, each child was to receive two new suits of clothes. In addition, girls were to receive $50 and boys were to receive $150. [51]

Between 1854 and 1929, about 250,000 children were taken to the Midwest on orphan trains. Many found good homes. Others ended up living in conditions even worse than the slums they had left behind. The rural families who took them typically were not screened in advance. [52]

By the late 1800s, Midwestern states had begun passing laws to restrict the influx of such children. Michigan was the first, in 1887, followed by Illinois, Indiana and Minnesota in 1899. By 1904, Iowa, Kansas, Kentucky, Missouri, North Dakota, Ohio and South Dakota had followed suit. [53]

The orphan train movement was criticized for failing to ensure the children were well cared for. Siblings were often separated, never to see each other again, and children's names were changed. The last orphan train left New York for Texas in May 1929. [54]

Early Adoption Agencies

By the early 1900s, child welfare experts were debating whether children placed with foster families fared better than those placed in institutional settings.

"My colleagues and I were seeing the same things again and again," says Forkey, who has worked with foster children since 1996. "We felt there was something obvious that we were missing. When the literature started to come out explaining trauma . . . it really was an 'aha!' moment for me and has been ever since."

Research by the federal Centers for Disease Control and Prevention and Kaiser Permanente health care system in California has found a correlation between childhood trauma and later risks for behavioral issues and physical and mental health problems. Those include heart, lung and liver disease, drug and alcohol abuse, poor work and school performance, depression and unhealthy sexual behaviors. [3]

When children grow up in a violent or neglectful environment, they go into chronic fight-or-flight mode, which "was designed to help us live in the wilderness," Forkey says. "A tiger is coming at you, you have to react, so a surge of adrenaline and cortisol goes to the body systems it needs to. For these kids, that system is continually pressed into action, and that's what we define in pediatrics as 'toxic stress.' "

For foster parents, this often means children do not sleep or eat well, struggle in school and act out as if they feel threatened. "Parents tell me all the time that the kids come into their home and can't sleep," says Forkey. "But if you're being 'chased by a tiger,' you shouldn't sleep."

The Resource Parent Curriculum is available online at no charge. [4] Some states have implemented it throughout certain counties or regions, Foreman says. Some have adapted it for Spanish-speaking or Native American populations, and some child welfare agencies use it to train foster parents as part of the licensing process.

Lanni says that when she attended a Resource Parent Curriculum seminar four years ago, all the turmoil she had experienced as a foster parent suddenly made sense. She now coaches other foster parents on the curriculum.

"Why would a kiddo perhaps have trouble sleeping in his bed?" she asks. "The foster parent is thinking 'I'm a failure and my social worker will be upset because I need to have him in a bed, and he's sleeping on the couch next to me.' When they consider that maybe a bed is a scary place for that child, they realize they've accomplished a victory because they've created a bond and helped the child feel safe."

— Kay Nolan

[1] "Caring for children who have experienced trauma: A Workshop for Resource Parents," The National Child Traumatic Stress Network, February 2010, https://tinyurl.com/yboueumg.

[2] "CW 360: a comprehensive look at a prevalent child welfare issue," Center for Advanced Studies in Child Welfare, School of Social Work, University of Minnesota, Winter 2013, https://tinyurl.com/yay93qek.

[3] "Adverse Childhood Experiences (ACEs)," U.S. Centers for Disease Control and Prevention, April 1, 2016, https://tinyurl.com/y8fc6qok.

[4] "Resource Parent Curriculum (RPC) Online," National Child Traumatic Stress Network, 2011, https://tinyurl.com/ya5gspkb.

Charles Birtwell, director of the Boston Children's Aid Society from 1886 to 1911, argued that either option could be best, depending on the individual child.

During the early 20th century, social agencies began to pay foster parents (with help from local governments) and to inspect their homes and require them to obtain licenses. The agencies also kept records assessing the performance of foster homes. Birth families received services aimed at eventually returning children to their biological parents. [55]

The nation's first adoption agencies were founded between 1910 and 1930, mostly in New York and Illinois, by wealthy, charity-minded women. Some helped arrange for their well-off friends to adopt babies born to destitute families. [56]

In 1935, the landmark Social Security Act provided money for homeless and indigent children through a new program called Aid to Dependent Children. But it would take nearly 30 years before Congress passed the Fleming Rule, which authorized 14 months of funding under the program for children in foster care.

As child abuse gained national attention during the 1960s and '70s, the number of children in foster care also increased. In addition, government officials became more involved in removing children from abusive homes. [57]

At the time, many social workers believed that foster children should move often from one temporary home to another to discourage bonding with any one family. But during the early 1970s, some began to question the benefits of that approach and encouraged bonding between foster parents and children. [58]

In 1977, the Supreme Court ruled unanimously in a case out of New York (*Smith v. Organization of Foster Families for Equality and Reform*) that foster children could be transferred to another foster home or returned to their natural parents without a hearing in advance. [59]

"It was an extremely tentative first step for the Court in foster care," Marcia Robinson Lowry, the lawyer who argued the case before the Supreme Court and who now heads A Better Childhood in Chappaqua, N.Y, which advocates for foster children, said at the time. "The court did acknowledge that there are problems in foster care and that there may be constitutional rights for children in these cases." [60]

That same year, Rep. Gladys Spellman, D-Md., introduced a bill — the Adoption Opportunities Act — intended to encourage adoption of foster children. The measure would have required federal officials to create a registry of children eligible for adoption and to provide certain services aimed at helping qualified families adopt children. [61]

Spellman's bill never came up for a vote, but some of its provisions survived in the Adoption Assistance and Child Welfare Act, which passed Congress in 1980. That measure urged states to try to reunite foster children with their birth families or find adoptive families for them. [62]

States had to make "reasonable efforts" to avoid removing children from their birth parents, and child welfare agencies were required to review the status of each foster child every six months, with the aim of returning the child to its natural parents. [63]

Also as part of the Adoption Assistance and Child Welfare Act, Congress established a method for states to draw Social Security funding for foster care services, essentially creating a permanent entitlement for eligible children.

Historic Overhaul

In 1997, the Adoption and Safe Families Act changed how the federal government viewed foster care. The most significant overhaul of the foster care system in nearly 20 years, the measure responded to concerns that many children were spending too much time in foster care or were being moved from one foster family to another too often. [64]

The law promoted efforts to find permanent adoptive homes for foster children and de-emphasized the importance of keeping children with their birth parents. Specifically, it:

- Emphasized and clarified the importance of protecting children's safety through each phase of the foster care process.
- Allowed child welfare officials to investigate family reunification while seeking permanent placement options for foster children.
- Required states to begin proceedings to terminate the parental rights of birth parents whose children had spent 15 of the most recent 22 months in foster care and encouraged states to expedite those proceedings for parents who had severely harmed their children.
- Required states to document efforts to find adoptive or other permanent placements for foster children, including placements with relatives.
- Established that placing abused or neglected children with relatives was the most preferable foster care option, as long as those relatives met state requirements. [65]

Ambitious Goal

At the time, the number of children in foster care had surged to new highs — almost double the number in the mid-1980s. Drug addiction, including an epidemic of crack cocaine use that devastated inner cities, was considered the primary reason, along with the AIDS epidemic and increasing rates of teen pregnancy. [66]

President Bill Clinton had made adoption a national priority, with the goal of doubling, by 2002, the number of foster children adopted or placed in permanent homes. There were 27,000 such placements in 1996. [67]

In 1999, Congress passed the Foster Care Independence Act, which aimed to help foster children get the skills they would need to be self-sufficient and live independently after aging out of the foster care system at 18. One key provision allowed states to make Medicaid available to young adults up to age 21. As of 2014, only 30 states had done so. [68]

In 2006, President George W. Bush signed the Child and Family Services Improvement Act, which required caseworkers to visit most foster homes at least once a month. It also recognized drug abuse as a key factor in child abuse and neglect, and expanded a grant program benefiting children whose birth parents abused not just methamphetamine, which was the program's original focus, but other drugs as well. [69]

Two years later, Congress passed the Fostering Connections to Success and Increasing Adoptions Act, which offered financial incentives to states to extend foster care services to young adults between 18 and 21 who were attending school or working, or who could not work due to medical issues. [70]

After peaking in 1999, the number of children in foster care dropped each year over the next 13 years, falling to 397,000 in 2012. Since then, the number has risen every year. (*See graph, p. 612.*) [71]

Over the past 18 years, states have taken widely varying approaches to foster care and adoption services. For example, by 2017, only 25 states had extended foster care services to people between 18 and 21, even though the 2007-09 financial crisis made it harder for young adults to survive on their own. [72]

Legal fights have broken out in individual states over whether faith-based foster care and adoption programs that take taxpayer money have the right to refuse to place children with gay and lesbian couples or single people. In 1995, for example, Nebraska adopted a policy that barred same-sex couples from becoming licensed foster care providers. The state Supreme Court struck the policy down in 2017, calling it "legally indistinguishable from a sign reading 'Whites Only' on the hiring-office door." [73]

Under President Barack Obama, federal officials worked to better address the health needs of foster children amid studies showing that those children experienced higher rates of

physical and mental illness. Audits of child welfare systems in several states also revealed excessive foster care caseloads, mismanagement of those caseloads and high turnover among caseworkers and foster families.

The Affordable Care Act, signed into law in 2010 by Obama, made current and former foster children eligible for Medicaid benefits up to age 26, beginning in 2014. In 2011, the Child and Family Services Improvement and Innovation Act required states to create health care plans for foster children, improve the treatment of foster children experiencing emotional trauma and better monitor the use of antidepressants and other medication for foster children. [74]

In February, Congress — with bipartisan support — passed the Family First Prevention Services Act overhauling the financing system for foster care programs and shifting their focus to preserving families by addressing parental substance abuse and other problems. ■

Current Situation

Dangerous Conditions

As the opioid crisis continues to rage and states cut social service budgets, demand for foster care continues to increase and child welfare agencies struggle with administrative missteps, overworked caseworkers and foster parents leaving the system.

Such factors have overwhelmed some foster care systems, creating unhealthy or even dangerous environments for the children they are responsible for placing in homes, such as:

• Foster care in Oregon is hampered by "chronic and systemic management shortcomings" and a "work culture of blame and distrust," according to the January report from Oregon's secretary of state. It cited "chronic understaffing, overwhelming workloads, high turnover and a large proportion of inexperienced staff" as well as "a poorly implemented computer system that leaves caseworkers with inadequate information." [75]

• A federal class-action lawsuit filed in Florida in February accuses child welfare officials in Miami-Dade and Monroe counties of failing to find enough beds for foster children. Attorneys for the children said some foster children in Florida have been moved more than 80 times among foster families, group homes, shelters and other settings. [76]

• A federal judge in Texas has ordered state officials to reduce workloads for foster care caseworkers, stop housing foster children in state offices and make almost 100 other changes to the state's foster care system. [77]

"The state of Texas has failed to rectify longstanding problems with its foster care system despite decades of awareness and extensive reports and recommendations by internal and external authorities," U.S. District Judge Janis Graham Jack concluded in her January 2018 order, issued in a lawsuit filed in 2011 by Children's Rights, a children's advocacy group in New York City. State officials have appealed. [78]

Ira Lustbader, litigation director for Children's Rights, said, "There is long-term harm when kids are treated like ping pong balls, or when infants are warehoused in shelters and group homes. Extreme instability and unnecessary institutionalization can physically damage children's developing brains, impacting their learning and behavior." [79]

Preventing such outcomes often ranks low among state lawmakers' budget priorities, child advocates say. Proposals to slash millions from Maine's budget, for example, would devastate foster care and other child welfare programs in the state, said Danylle Carson, a lawyer in Turner, Maine, who represents children in foster care.

"There are not enough caseworkers, and there is not enough funding," she said. "These are signs of a system crashing." [80]

David Hansel, who heads child welfare programs in New York City, called a proposal by Gov. Andrew Cuomo to cap the money the city receives for those programs "an unprecedented step that would harm children and families." [81]

Emotional Trauma

As the gap widens between the number of foster children and the number of foster families, foster parents are being asked to take on more and more children. "We are overburdening foster parents," said Susan Baca, a foster parent recruiter in Idaho. [82]

But retaining foster parents remains a major challenge facing child welfare agencies, experts say.

Some foster parents decide they can no longer handle the emotional trauma of watching as children they have cared for are adopted, reunited with their birth parents or transferred to new foster families. Foster parents also face time-consuming state licensing requirements, and many, especially those caring for children with serious behavioral problems, report feeling unsupported by child welfare agencies. [83]

Beginning this year, the Family First law makes $8 million in competitive grants available to help states recruit and retain foster families. The grants will focus on states with the highest percentage of children in nonfamily settings. [84]

In the push to recruit new foster families, child welfare workers say they are increasingly reaching out to older couples, childless couples, empty nesters

(parents whose children have grown up and left home) and single people. They also are seeking help from grandparents and other relatives of foster children. Federal law requires states to "consider giving preference to an adult relative over a nonrelated caregiver when determining a placement for a child." [85]

Social media has made it easier to track down grandparents and other potential kinship caregivers. "States are realizing the value of kinship caregivers, as the number of children entering care increases and the number of licensed nonrelated foster homes decreases," Heidi Redlich Epstein, director of kinship policy at the American Bar Association's Center on Children and the Law, wrote last year. [86]

But kinship caregivers who are not licensed by the state typically receive lower reimbursements than licensed foster homes, and some receive no reimbursements at all. Last year, a court ordered state officials in Kentucky to begin compensating kinship caregivers who are raising relatives outside of the foster care system at the same rate that applies to licensed foster care families. [87]

"People are going bankrupt and losing their homes," said Norma Hatfield, a kinship care advocate in Kentucky. "These are grandparents who are living on Social Security and they are taking in sibling groups of three to eight kids. That was never in their budget." [88]

About 7 percent — or 70,000 — of the children in Kentucky are being raised by their grandparents or other relatives, according to Kentucky Youth Advocates, an organization in Louisville that works to improve conditions for children in the state. The group says that is the highest percentage in the country. [89]

AP Photo/Pat Sullivan

Crystal Bentley looks over her latest art project on April 28, 2016, in Houston. Bentley said she was physically and sexually abused as a foster child, then endured more abuse as a victim of sexual trafficking after she aged out of the foster system. A children's advocacy group in New York City sued Texas in 2011, saying the state's mismanaged foster care system exposed Bentley and thousands of other foster children to abuse and neglect.

Caseworker Turnover

Recruiting and keeping good foster families is just one factor contributing to high turnover among foster care caseworkers, child welfare experts say. They also cite the difficulties of working with traumatized families and increased caseloads tied to the opioid crisis.

Stacy Cox, social services administrator of Child Protective Services of the Champaign County (Ohio) Department of Job and Family Services, said that resigning caseworkers have shared comments in exit interviews such as, "This job took too much of a mental toll, it's emotionally draining, I can't turn my mind off when I go home," and she says that "makes it difficult to meet the needs of their own families." [90]

Since foster care is designed to be temporary, caseworkers spend much of their time working to either reunite children with their birth parents or, when that is not possible, place them with an adoptive family. Finding adoptive families for children who cannot be reunited with their birth parents can be especially challenging for older children, minority children, siblings who want to remain together and children with behavioral or developmental problems.

A project called AdoptUSKids, financed through a federal grant, aims to make adoption more likely for thousands of foster children by featuring their photos in an online, searchable database. It also runs a call center and chat line to answer questions from prospective adoptive parents.

Adoption agencies try to satisfy a wide range of preferences in placing children. Raenell Crenshaw, 55, of Danville, Ill., for example, prefers "no babies." Amy Gill, 62, of Toledo, Ohio, said she and her husband "have a knack" for raising teenagers. [91]

AdoptUSKids has helped place more than 30,000 children with adoptive families since 2003, according to National Project Director Bob Herne. The group's message is that adoptive parents need not be young or affluent to qualify.

"The things that you have gone through in your life and the challenges that you have overcome — it's those blemishes that make you a wonderful

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Are children placed in foster care too often in response to the opioid crisis?

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WRITTEN FOR *CQ RESEARCHER*, JULY 2018

YES

A tragic consequence of the opioid crisis is the increase in foster care placements of children born to mothers with opioid use disorder. Although safety is a key consideration in hospital discharge planning for newborns, recommendations for severing maternal custody are based on a false understanding of addiction treatment and recovery, traumatize both mother and child and disrupt the mother-child bond at a critical phase.

Child welfare cases focus on parental use of illicit substances, but categorization of substances as licit or illicit is a legal distinction. Fetuses do not distinguish between licit and illicit substances and cannot tell if a substance is being used as directed under medical guidance. In addition, alcohol and nicotine are more harmful to a fetus than any illicit drug.

Decisions to place babies in foster care typically are based on a urine drug test administered while a woman is in labor, or on evidence of neonatal abstinence syndrome (NAS), which refers to an infant's withdrawal from opioids or other drugs that were present in the womb.

Addiction is a brain-centered condition whose symptoms include certain behaviors, but there is nothing in a urine drug test that measures fitness as a parent. Similarly, NAS is not, in and of itself, evidence of harm or risk of harm to a child. It is an expected and treatable outcome of opioid exposure in utero. Forty years of research shows that opioid-exposed infants develop normally.

Pregnant women with opioid use disorder need treatment — and treatment works. Relapse rates for treated addictions are similar to relapse rates for other chronic conditions such as hypertension or diabetes. Putting infants in foster care because their mothers had opioid use disorder is not only discriminatory but perpetuates a false understanding of this disease.

Although addiction affects individuals from all racial and social groups, foster care placements fall disproportionately on ethnic and racial minorities and on the economically disadvantaged. Under the guise of ensuring "child safety," decisions to place opioid-exposed babies in foster care essentially enforces a biased distinction between deserving and undeserving motherhood.

Having children is a human right that extends to all persons. Instead of putting children in foster care because their mothers have used drugs, we should make it a priority to deliver compassionate, high-quality care to those mothers during and after pregnancy.

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WRITTEN FOR *CQ RESEARCHER*, JULY 2018

NO

As a family law attorney in practice for approximately 20 years, I speak from experience dealing with family disasters caused by parents addicted to opioids. Children are not removed from parents simply because the parents are using opioids or other drugs. Instead, children are removed from parents because drug abuse makes parents unable to meet their children's needs.

I have seen opioid-addicted parents neglect the medical needs of their children, leave them home unsupervised, fail to take them to school and leave dirty needles and drugs where their children could be harmed by them. Our court system is responsible for protecting children and helping them find secure homes when it is in their best interests and when the parents fail to do so.

Opioid abuse is a nationwide problem that is growing fast. In October 2017, the U.S. Department of Health and Human Services declared the opioid crisis a public health emergency, a move intended to build awareness and improve access to prevention, treatment and recovery support services. In Ohio, the number of children placed with relatives or in foster care has increased 19 percent since 2010 due to the opioid crisis, according to children's services agencies in the state.

As such agencies and family members take legal action to protect children from drug-addicted parents, these cases have become a crisis, tying up the court system and overburdening children's services caseworkers.

Judges, magistrates, attorneys and children services agencies must follow laws and procedures to remove children from opioid-addicted parents. Court officials who make tough decisions to place children in foster care do not take their responsibilities lightly and do so only when it is in the children's best interest.

Foster care placements are designed to be temporary to give parents a chance to resolve the issues that led to their children being removed. Parents receive a case plan to work on so they can reunify with their children and are provided resources and programs to help them overcome their opioid addictions. In some cases, they follow those plans and accept the help, and ultimately are reunited with their children. In other cases, they relapse or fail to work their case plans and are not reunified with their children. No one in the system wants to see the parents fail or to break the bonds between parents and children.

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adoptive parent, because you have the empathy to understand some of the trauma that some of our children have been through," Herne says.

In addition, children raised in institutional settings "can be easy targets for traffickers," according to the State Department's most recent annual Trafficking in Persons report, released June 28.

Getty Images/*The Washington Post*/Jahi Chikwendiu

Yojany Santos, 31, from Honduras, and her 5-year-old daughter, Betsa, are detained in Mission, Texas, by U.S. Border Patrol agents for illegally crossing into the United States from Mexico on June 27, 2018. The Trump administration's discontinued policy of separating immigrant families seeking asylum or illegally crossing the U.S.-Mexico border has placed thousands of immigrant children in foster care, further straining what child welfare officials say is an already overburdened system.

Fewer Group Homes

Child welfare agencies continue to move away from placing children in congregate care settings, which include large institutions and smaller group homes serving up to 12 children. In Los Angeles County, Calif., for example, the number of foster children in congregate care has dropped from a high of about 5,000 to less than 1,000 since 2002, says Brandon Nichols, chief deputy director of the county's Department of Children and Family Services.

Foster children in congregate care settings are more likely to drop out of high school, commit crimes and develop mental health problems than foster children living with families. Congregate care also is three to five times more expensive than placing children with foster families. [92]

"Removal of a child from the family should only be considered as a temporary, last resort," the report says. "Studies have found that both private and government-run residential institutions for children, or places such as orphanages and psychiatric wards that do not offer a family-based setting, cannot replicate the emotional companionship and attention found in family environments that are prerequisites to healthy cognitive development." [93]

In mid-July, child welfare agencies were still struggling to find foster homes for 2,000 to 3,000 immigrant children separated from their parents largely as a result of the Trump administration's "zero tolerance" policy regarding undocumented immigrants who cross the U.S.-Mexico border.

Apart from those children, tens of thousands of unaccompanied minors cross the Southwest border each year — last year, the number totaled 41,435 — and many end up in foster care. Deportations of immigrant adults in the country illegally also strain foster care systems, child welfare experts say. As many as 5 million children in the United States have an undocumented parent, and it is not always possible to find family members to care for them in the event their parents are deported. [94] ■

OUTLOOK

Political Debates

The national opioid crisis is expected to continue increasing demand for foster care. Researchers said fatal prescription drug overdoses could kill another 500,000 Americans by 2027, meaning thousands more children will be orphaned. [95]

"In a two-week span (this year) we had placed six kids that had become orphans due to their parents (fatal overdose) and passing away," Katrina Gownley, administrator of Children and Youth Services in Northumberland County, Pa., said in April. "It took me by surprise." [96]

Though policies to defend and protect children have traditionally been bipartisan, some child welfare experts worry that foster care issues increasingly will be caught up in today's heated political debates. In Kansas for example, state lawmakers split along party lines in the recent debate over whether publicly financed faith-based foster care and adoption groups should be allowed to discriminate against LGBT parents. [97]

Advocates for adoption hope their needs and mission will not be forgotten. Many say adoption efforts have never been adequately funded. "Adoption programs often get pushed to the side," says Baber of Voice for Adoption.

"It would be ideal to have a funding stream specifically targeted at post-adoption services, but there never has been."

Child advocates say they are waiting to see how key elements of the Family First Prevention Services Act play out over the next few years. Federal officials will release compliance guidelines in October.

"A lot of details aren't there in the law," says Nichols.

Because the new law focuses on keeping families together, child welfare workers must learn to be less judgmental of parents, some experts say.

"Right now, people are very quick to say: 'So-and-so's a terrible mother, let's remove this kid and save them,' but what you're really doing instead of saving that kid is breaking their heart and developing a wound that will take decades to heal," Long says. "The better thing to do would be to give the mother the resources she needs to be a good and stable mom." ■

Notes

[1] Mark Douglas, "Foster kids kept in cars at Wawa parking lot in Hillsborough County," WFLA-TV, Feb. 6, 2018, https://tinyurl.com/yam4oe72; Julia Terruso, "Philly puts out 'urgent' call — 300 families needed for fostering," *The Inquirer*, March 8, 2018, https://tinyurl.com/yb8bn5vq; Scott Simon, "The Foster Care System Is Flooded With Children Of The Opioid Epidemic," NPR, Dec. 23, 2017, https://tinyurl.com/ybw5ra9l.

[2] "Number of children in foster care continues to increase," Administration for Children and Families, U.S. Department of Health and Human Services, Nov. 30, 2017, https://tinyurl.com/yc3b6577.

[3] "The AFCARS Report," Children's Bureau, U.S. Department of Health and Human Services, Oct. 20, 2017, https://tinyurl.com/ycg7tosv; John Kelly, "Chronicle Report: At Least 25 States Have Lost Foster Care Capacity Since 2012," *The Chronicle of Social Change*, Oct. 31, 2017, https://tinyurl.com/y7uuwz7n.

[4] NR Symposium, "What Must We Do about Foster Care?" *National Review*, May 23, 2018, https://tinyurl.com/yavddspr.

[5] Elise Foley and Roque Planas, "Trump's Crackdown On Immigrant Parents Puts More Kids In An Already Strained System," *The Huffington Post*, May 25, 2018, https://tinyurl.com/y9c26upf.

[6] John Sciamanna, "Child Welfare in Budget," CWLA, undated, https://tinyurl.com/ybc7r989.

[7] "The AFCARS Report," *op. cit.*; Jeremy Kohomban, Jennifer Rodriguez and Ron Haskins, "The foster care system was unprepared for the last drug epidemic–let's not repeat history," Brookings Institution, Jan, 31, 2018, https://tinyurl.com/ydyjmcz2.

[8] Perry Stein and Lindsey Bever, "The opioid crisis is straining the nation's foster-care systems," *The Washington Post*, July 1, 2017, https://tinyurl.com/y9hlzqea.

[9] Linda Valdez, "Valdez: DCS removes the most kids from high poverty ZIP codes. That's no coincidence," *Arizona Republic*, May 27, 2018, https://tinyurl.com/yd8kao44.

[10] "Additional Actions Could Help HHS Better Support States' Use of Private Providers to Recruit and Retain Foster Families," U.S. Government Accountability Office, May 2018, https://tinyurl.com/y6twzb3g.

[11] John H. Laub and Ron Haskins, "Helping Children with Parents in Prison and Children in Foster Care," policy brief, Princeton-Brookings, Spring 2018, https://tinyurl.com/y9npbwlq.

[12] Troy Quast, Eric A. Storch and Svetlana Yampolskaya, "Opioid Prescription Rates And Child Removals: Evidence From Florida," *Health Affairs*, January 2018, https://tinyurl.com/y6u5qdel; Richard Gonzalez, "Number of American Children In Foster Care Increases For 4th Consecutive Year," NPR, Nov. 30, 2017, https://tinyurl.com/ybn2sgbc.

[13] "The AFCARS Report," *op. cit.*; "Trends in Foster Care and Adoption: FY 2007 — FY 2016," Children's Bureau, U.S. Health and Human Services Department, Oct. 20, 2017, https://tinyurl.com/y6w532r8.

[14] Gary J. Gates, "LGBT Parenting in the United States," The Williams Institute, February 2013, https://tinyurl.com/bslxpyh; "10 Gay Adoption Facts that You Need to Know," considering adoption, undated, https://tinyurl.com/y85shtyr.

[15] "Overview of Lesbian and Gay Parenting, Adoption, and Foster Care," ACLU, undated, https://tinyurl.com/z82a9eu.

[16] "How does turnover affect outcomes and what can be done to address retention?" Casey Family Programs, Dec. 29, 2017, https://tinyurl.com/y9pd8olf.

[17] Allison Frost, "Oregon Child Welfare Workers Say They Can't Keep Up, Can't Do Prevention Work," kuow.org, May 16, 2018, https://tinyurl.com/y8gu4ur4.

[18] Irene Clements," We Have to Stop Losing Half of Foster Parents in the First Year," *The Chronicle of Social Change*, May 18, 2018, https://tinyurl.com/yapm4wac.

[19] "Foster Care in Oregon: Chronic management failures and high caseloads jeopardize the safety of some of the state's most vulnerable children," Department of Human Services, State of Oregon, January 2018, https://tinyurl.com/y93uc8rq.

[20] "Fact Sheets: U.S. Adoption & Foster Care Statistics," Congressional Coalition on Adoption Institute, undated, https://tinyurl.com/y922l782.

[21] "Overview of Lesbian and Gay Parenting, Adoption, and Foster Care," *op. cit.*

[22] "Opioid crisis strains foster system as kids pried from homes," The Associated Press, Dec. 12, 2017, https://tinyurl.com/yaeefxwu.

[23] "Number of children in foster care continues to increase," *op. cit.*

[24] Emily Birnbaum and Maya Lora, "Opioid crisis sending thousands of children into foster care," *The Hill*, June 20, 2018, https://tinyurl.com/y8usede8.

[25] "Parental Drug Use as Child Abuse," Child Welfare Information Gateway, April 2015, https://tinyurl.com/y6w3fpyy.

[26] "Family First Prevention Services Act (FFPSA)," Congressional Research Service, Feb. 9, 2018, https://tinyurl.com/ydbkkrvp.

[27] *Ibid.*

[28] "What are the outcomes for youth placed in congregate care settings?" Casey Family Programs, Feb. 5, 2018, https://tinyurl.com/yac2ywsu.

[29] "Congregate Care, Residential Treatment and Group Home State Legislative Enactments, 2009-2013," National Conference of State Legislatures, Feb. 10, 2017, https://tinyurl.com/ycpqnhnl.

[30] "Family First Prevention Services Act (FFPSA)," *op. cit.*

[31] "Additional Actions Could Help HHS Better Support States' Use of Private Providers to Recruit and Retain Foster Families," *op. cit.*; Teresa Wiltz, "When Trump signed spending bill, he signed into law a huge overhaul of foster care," *USA Today*, May 5, 2018, https://tinyurl.com/y8ekaflb.

[32] "Family First Prevention Services Act (FFPSA)," *op. cit.*

[33] Angie Schwartz and Sean Hughes, "On Child

Welfare, an Insufficient Federal Response to the Opioid Epidemic," *The Chronicle of Social Change*, April 24, 2018, https://tinyurl.com/y787w7ca.

[34] "GrandFacts: State Fact Sheets for Grandfamilies," Grandfamilies.org, https://tinyurl.com/yabnwo87.

[35] "Family First Prevention Services Act: Brief Summary Implications for Grandfamilies" Generations United, https://tinyurl.com/y7uu9plp.

[36] "Foster and Adoption Laws," Movement Advancement Project, updated as of July 16, 2018, https://tinyurl.com/p246xlq.

[37] Gates, *op. cit.*

[38] *Ibid.*

[39] Mollie Reilly, "Same-Sex Couples Can Now Adopt Children In All 50 States," *The Huffington Post*, March 31, 2016, https://tinyurl.com/yahmzsg4; Elizabeth A. Harris, "Same-Sex Parents Still Face Legal Complications," *The New York Times*, June 20, 2017, https://tinyurl.com/y7g6o3gn.

[40] Bradford Richardson, "Blue states raising barriers to faith-based adoptions," *The Washington Times*, June 20, 2018, https://tinyurl.com/yc2hzjtz.

[41] "What does the scholarly research say about the well-being of children with gay or lesbian parents?" Cornell University, undated, https://tinyurl.com/yd3829uz.

[42] *Dumont v. Lyon and McCall*, U.S. District Court for the Eastern District of Michigan, Southern Division, https://tinyurl.com/ybvf2rzb.

[43] "Same-sex 'marriage' law forces D.C. Catholic Charities to close adoption services," Catholic News Agency, Feb. 17, 2010, https://tinyurl.com/y9er6hbv; Marianne Medlin, "Illinois bishops announce shutdown of adoption services," Catholic News Agency, Nov. 11, 2011, https://tinyurl.com/y9gemqj9; Patricia Wen, "Catholic Charities Stuns States, Ends Adoptions," *The Boston Globe*, March 11, 2006, https://tinyurl.com/ya75dprs.

[44] Kelsey Harkness, "Here's What Happened After Liberal Activists Shut Down Catholic Adoption Providers in Illinois," *The Daily Signal*, May 21, 2018, https://tinyurl.com/y93q9t6y.

[45] Thomas Atwood, "Foster Care: Safety Net or Trap Door?" The Heritage Foundation, March 25, 2011, https://tinyurl.com/y9s3nn5s.

[46] Cathryn Oakley, "Disregarding the Best Interest of the Child: Licenses to Discriminate in Child Welfare Services," Human Rights Campaign Foundation, December 2017, https://tinyurl.com/y76o4p2f.

[47] Sarah Posner, "South Carolina Sought an Exemption to Allow a Foster-Care Agency to Discriminate Against Non-Christians," *The Nation*, June 15, 2018, https://tinyurl.com/ydga22y7.

[48] Alison Durkee, "House Appropriations Committee votes to allow anti-LGBTQ discrimination in adoption and foster care," *The Mic*, July 14, 2018, https://tinyurl.com/yaywx59q.

[49] "History of Foster Care in the United States," National Foster Parent Association, undated, https://tinyurl.com/y8ok64fm; James Ciment, *Social Issues in America: An Encyclopedia*, Vol. 1, M.E. Sharpe, 2006.

[50] "Massachusetts Adoption of Children Act, 1851," The Adoption History Project, undated, https://tinyurl.com/y72m5bnd.

[51] "Orphan Train Advertisement," National Orphan Train Complex, undated, https://tinyurl.com/y7s9t94t.

[52] Daphne Eviatar, "Suffer the Children," *The Nation*, May 10, 2001, https://tinyurl.com/y8m56e8k.

[53] "End of an Era," National Orphan Train Complex, undated, https://tinyurl.com/y86wv6gg.

[54] "The Orphan Train and the Children Who Rode Them," New England Historical Society, undated, https://tinyurl.com/y7ocjlze.

[55] "Background and History of Foster Care," marriage.com, July 25, 2017, https://tinyurl.com/y9aldw4q.

[56] "First Specialized Adoption Agencies," The Adoption History Project, undated, https://tinyurl.com/y8dzft7p.

[57] John E.B. Myers, "A Short History of Child Protection in America," American Bar Association, undated, https://tinyurl.com/grznv6c.

[58] Kenneth Jost, "Foster Care Crisis," *CQ Researcher*, Sept. 27, 1991, pp. 705-729; "Foster Care System History 1960s-1970s," History of Foster Care in New Jersey, June 20, 2013, https://tinyurl.com/y8alswsk.

[59] *Smith v. Organization of Foster Families, 431 U.S. 816*, U.S. Supreme Court, June 13, 1977, https://tinyurl.com/yaqesc5k.

[60] Glenn Collins, "Courts, the Congress and Citizens are Redefining the Concept of Foster Care," *The New York Times*, July 22, 1981, https://tinyurl.com/yburqcw9.

[61] "H.R. 3076 (95th): Adoption Opportunities Act," govtrack, undated, https://tinyurl.com/yaug4w9e.

[62] "H.R. 3434: The Adoption Assistance and Child Welfare Act of 1980," Congress.gov, undated, https://tinyurl.com/ydh347v8.

[63] "H.R. 3434 (96th): Adoption Assistance and Child Welfare Act of 1980," govtrack, undated, https://tinyurl.com/ydy2cmt4.

[64] "Adoption and Safe Families Act (ASFA)," *Child and Family Service Reviews*, undated, https://tinyurl.com/y8njnpyg.

[65] *Ibid.*

[66] Sarah Glazer, "Sentencing Reform," *CQ Researcher*, Jan. 10, 2014, pp. 25-48; Rachel S. Cox, "Foster Care Reform," *CQ Researcher*, Jan. 9, 1998, pp. 1-24.

[67] *Ibid.*

[68] "Foster Care Independence Act," *Child and Family Service Reviews*, undated, https://tinyurl.com/ya9a9c4t; "Providing Medicaid to Youth Formerly in Foster Care Under the Chafee Option: Informing Implementation of the Affordable Care Act," ASPE report, Department of Health and Human Services, November 2012, https://tinyurl.com/y92kzxu4.

[69] "President Signs S. 3525, the 'Child and Family Services Improvement Act of 2006,' " White House press release, Sept. 29, 2006, https://tinyurl.com/y7gved9p.

[70] "Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351)," Child Welfare Information Gateway, https://tinyurl.com/y8qrqyp2.

[71] "Foster Care," Child Trends, undated, https://tinyurl.com/yda2z9o7; "The AFCARS Report," *op. cit.*

[72] "Extending Foster Care Beyond 18," National Conference of State Legislatures, July 28, 2017, https://tinyurl.com/yd3c96go.

[73] Mark Joseph Stern, "Nebraska Supreme Court: Ban on Gay Foster Parents Is Indistin-

About the Author

Kay Nolan is a reporter and editor based in Milwaukee, Wis., where she has covered government, public policy, education, business, health care and breaking news as a correspondent for *The New York Times*, *The Christian Science Monitor*, *The Washington Post*, *WisPolitics* and *WisBusiness.* She is a former reporter and multiplatform copy editor for the *Milwaukee Journal Sentinel.*

guishable From a "Whites Only" Sign," *Slate*, April 7, 2017, https://tinyurl.com/mqessfa.

[74] Emilie Stoltzfus, "Child Welfare: The Child and Family Services Improvement and Innovation Act (P.L. 112-34)," Congressional Research Service, Oct. 5, 2011, https://tinyurl.com/yadj2wof.

[75] "Foster Care in Oregon: Chronic management failures and high caseloads jeopardize the safety of some of the state's most vulnerable children," *op. cit.*

[76] Bernard Perlmutter, Robert Latham and Stewart Cooke, "Kids in foster care aren't getting the care they need. That's why we're suing DCF," *The Miami Herald*, May 9, 2018, https://tinyurl.com/y8daraa5.

[77] Julie Chang, "50 Texas foster children slept in state offices, hotels in April," *Austin American-Statesman*, May 27, 2018, https://tinyurl.com/y8ywujz7.

[78] *M.D.; bnf Stukenberg, et al. VS. Greg Abbott*, United States District Court, Southern District of Texas, Corpus Christi Division, Jan. 19, 2018, https://tinyurl.com/ycpdhuuk.

[79] "As Florida Faces Child Welfare Lawsuit, Legislature Tries to Speed Up Foster Care Exits," *The Chronicle of Social Change*, Feb. 21, 2018, https://tinyurl.com/yc9qglgf.

[80] Stein and Bever, *op. cit.*

[81] Glenn Blain, "ACS claims it will lose money under Cuomo's proposed budget, hurting services to protect kids," *New York Daily News*, Feb. 21, 2018, https://tinyurl.com/y7m3xrea.

[82] Tetona Dunlap, Julie Wootton and Alex Riggins, "Severe shortage: Idaho foster parents quit almost as fast as they're recruited," mvmagicvalley.com, April 24, 2017, https://tinyurl.com/yc5bm89g.

[83] "Additional Actions Could Help HHS Better Support States' Use of Private Providers to Recruit and Retain Foster Families," *op. cit.*

[84] "Family First Prevention Services Act Implementation Timeline," Children's Defense Fund, Feb. 19, 2018, https://tinyurl.com/ybv78zzm.

[85] "42 U.S. Code § 671 — State plan for foster care and adoption assistance," Legal Information Institute, Cornell Law School, undated, https://tinyurl.com/ybtbqme2.

[86] Heidi Redlich Epstein, "Kinship Care is Better for Children and Families," American Bar Association, July/August 2017, https://tinyurl.com/y84398e5.

[87] Deborah Yetter, "Kentucky must pay up for relatives providing foster care after Supreme Court refuses case," (Louisville, Ky.) *Courier Journal*, Oct. 12, 2017, https://tinyurl.com/yateflbf.

[88] Beth Musgrave, "'People are going bankrupt.' Caregivers say Kentucky unfairly denying foster payments," *Lexington Herald Leader*, March 13, 2018, https://tinyurl.com/y7cwvg4d.

[89] Aaron Mudd, "More resources needed for grandparents raising children, advocate says," *Bowling Green Daily News*, Nov. 20, 2017, https://tinyurl.com/ydx7b6ht.

[90] Gary Schenkel, "County Child Services Agency joins study to help reduce caseworker turnover," *Urbana* (Ohio) *Daily Citizen*, Feb. 15, 2018, https://tinyurl.com/y7mym6m3.

[91] Victoria Sackett, "A Ray of Hope: Older Adults Are Stepping Up for Teenagers in Need," AARP, April/May 2018, https://tinyurl.com/yde9bqqg.

[92] "A National Look at the Use of Congregate Care in Child Welfare," Children's Bureau, U.S. Department of Health and Human Services, May 13, 2015, https://tinyurl.com/y8udauj5; "Reducing Congregate Care: Worth the Fight," The Annie E. Casey Foundation, April 4, 2012, https://tinyurl.com/ydaklwns.

[93] "Trafficking in Persons Report," U.S. State Department, June 2018, https://tinyurl.com/y9xtqgcn.

[94] "U.S. Border Patrol Southwest Border Apprehensions by Sector FY 2017," U.S. Customs and Border Protection, Dec. 15, 2017, https://tinyurl.com/y8lewwhn; Emma Jacobs, "When Immigration Detention Means Losing Your Kids," NPR, Dec. 8, 2017, https://tinyurl.com/y79xapwk.

[95] Max Blau, "STAT forecast: Opioids could kill nearly 500,000 Americans in the next decade," *STAT*, June 27, 2017, https://tinyurl.com/ydyuob3d.

[96] "Opioid addiction driving foster placements," *The* (Sunbury, Pa.,) *Daily Item*, April 29, 2018, https://tinyurl.com/y9q9sbtj.

[97] Jonathan Shorman, "Kansas bill allowing religious adoption groups to refuse LGBT couples will become law," *The Kansas City Star*, May 3, 2018, https://tinyurl.com/y95rm43d.

FOR MORE INFORMATION

Adoption Exchange Association, 605 Global Way, Suite 100, Linthicum, MD 21090; 410-636-7036; adoptea.site-ym.com/default.aspx. Membership association of adoption organizations and professionals that provides training in best practices and other information aimed at recruiting and supporting prospective adoptive parents.

AdoptUSKids, 888-200-4005; www.adoptuskids.org. Provides a variety of foster care and adoption-related resources for caseworkers and families, and hosts the nation's only federally funded photo-listing service aimed at finding permanent families for children in foster care.

CASA For Children, 100 W. Harrison St., North Tower, Suite 500, Seattle, WA 98119; 800-628-3233; www.casaforchildren.org. Recruits and trains volunteers to act as court-appointed advocates representing abused or neglected children in legal proceedings.

Child Welfare Information Gateway, 800-394-3366; www.childwelfare.gov. A U.S. Health and Human Services (HHS) online resource offering access to publications, websites, databases and other tools for improving foster care and other child welfare programs.

Children's Bureau, 330 C Street, S.W., Washington, DC 20201; 877-696-6775; www.acf.hhs.gov/cb/research-data-technology/reporting-systems/afcars. A division of HHS that provides annual data on foster care through the Adoption and Foster Care Analysis and Reporting System.

Family Focused Treatment Association, 294 Union St., Hackensack, NJ 07601; 201-343-2246; www.ffta.org. Supports member agencies that provide treatment in the United States and Canada to foster children with emotional, behavioral or developmental problems.

Grandfamilies, www.grandfamilies.org. National legal resource center for "kinship" caregivers who are raising a grandchild or another relative because the child's parents are no longer able or available to do so.

Bibliography

Selected Sources

Books

Bruggman, Amber, and Kimberly Ortiz-Hartman, *Community & Family Health Issues: An Encyclopedia of Trends, Conditions & Treatments*, Salem Press, 2017.

A clinical social worker (Bruggman) and a family and marriage therapist (Ortiz-Hartman) review the history of foster care, explain "therapeutic foster care" and discuss the role of schools and congregate facilities in foster care.

Isenberg, Nancy, *White Trash: The 400-Year Untold Story of Class in America*, London Atlantic Books, 2017.

An historian argues that the disproportionate number of poor and minority children in foster care reflects class differences that have always been present in American culture.

Rodriguez, Naomi Glenn-Levin, *Fragile Families: Foster Care, Immigration, and Citizenship*, University of Pennsylvania Press, 2017.

An anthropology professor at Hobart and William Smith Colleges in New York state describes the experiences of immigrant children, social workers and others involved in the child welfare system in the area around San Diego and Tijuana, Mexico.

Articles

Biddle, Nico'Lee, "Fostered or Forgotten: How Prevention Services Could Help Youth Avoid the Foster Care System," *Teen Vogue*, May 20, 2018, https://tinyurl.com/y9nykvt2.

A former foster child whose parents were addicted to heroin says a new federal foster care law has the potential to prevent problems that lead to children being removed from their home.

Jacobs, Emma, "When Immigration Detention Means Losing Your Kids," National Public Radio, Dec. 8, 2017, https://tinyurl.com/y79xapwk.

A public radio reporter explains the plight of immigrant children who were separated from their families by U.S. immigration officials, including some who ended up in the U.S. foster care system.

Sidner, Sara, and Rosa Flores, "A foster mom for immigrant kids says they're 'shell shocked' and 'terrified,' " WRAL, June 22, 2018, https://tinyurl.com/y9qzz8dn.

A girl from El Salvador who was separated from her mother by immigration authorities at the U.S.-Mexico border earlier this year was severely traumatized and screaming with terror after the experience, according to the Michigan foster mother who took her in.

Stein, Perry, and Lindsey Bever, "The opioid crisis is straining the nation's foster-care systems," *The Washington Post*, July 1, 2017, https://tinyurl.com/y7mkrkb8.

A grandmother in Maine assumes the care of her young grandson after the child's mother becomes addicted to opioids.

Wogan, J.B., "Nowhere Else to Go: Why Kids Are Sleeping in Child Welfare Offices," *Governing*, Oct. 10, 2017, https://tinyurl.com/ybl3lrwx.

A magazine writer describes federal and state foster care legislation and seeks answers on why foster children in Kansas and Texas are spending nights in child welfare offices.

Reports and Studies

"The AFCARS Report," Children's Bureau, U.S. Department of Health and Human Services, Oct. 20, 2017, https://tinyurl.com/ycg7tosv.

The federal agency in charge of foster care programs reports the latest foster care statistics.

"Congregate Care, Residential Treatment and Group Home State Legislative Enactments 2009-2013," National Conference of State Legislatures, Feb. 10, 2017, https://tinyurl.com/ycpqnhnl.

An organization that researches foster care and other issues for state lawmakers explains why states should reduce their reliance on group foster homes and describes legislative proposals to accomplish that.

"Foster Care: Additional Actions Could Help HHS Better Support States' Use of Private Providers to Recruit and Retain Foster Families," U.S. Government Accountability Office, May 30, 2018, https://tinyurl.com/ycph6sp2.

Congress' investigative arm highlights problems with, and possible solutions to, recruiting and retaining foster families.

"Foster Care in Oregon: Chronic Management Failures and High Caseloads Jeopardize the Safety of Some of the State's Most Vulnerable Children," Oregon Department of Human Services, January 2018, https://tinyurl.com/y93uc8rq.

An audit of Oregon's Child Welfare Bureau describes systemic problems, including high turnover among caseworkers and a dwindling number of foster beds, and makes recommendations for improvement.

Laub, John H., and Ron Haskins, "Helping Children with Parents in Prison and Children in Foster Care," Princeton University and the Brookings Institution, Spring 2018, https://tinyurl.com/y9npbwlq.

A criminology professor at the University of Maryland (Laub) and the co-director of the Center on Children and Families at the Brookings Institution (Haskins) recommend two reforms for foster care: better training and support for foster parents, and greater efforts to improve conditions within families that lead to children being abused or neglected.

The Next Step:

Additional Articles from Current Periodicals

Federal Law

Lora, Maya, and Emily Birnbaum, "States brace for dramatic overhaul to federal foster care funding," *The Hill*, June 21, 2018, https://tinyurl.com/y8y5v3cn.

Critics of the Family First Prevention Services Act, a landmark federal law passed in February, say it could make it harder to remove children from abusive homes.

McCarthy, Nora, "Family Separations Happen Within Our Borders, Too," *Slate*, June 29, 2018, https://tinyurl.com/ybtjhe9g.

The Family First Prevention Services Act marks crucial progress in addressing factors that lead to children being placed in foster care, a child welfare advocate says.

Phagan-Hansel, Kim, "Nebraska Gets Proactive in Prepping for Family First Act," *The Chronicle of Social Change*, June 26, 2018, https://tinyurl.com/ybgjuabz.

Nebraska health officials have begun implementing provisions of the new federal foster care law.

Mental Health

Johnson, Katherine, "Intensive Treatment for Foster Care Launches in Minnesota," ABC News, KSTP, July 5, 2018, https://tinyurl.com/y7qdafrh.

Minnesota has created a program to provide in-home therapy for 109,000 emotionally disturbed children.

Xiong, Chao, "Hennepin County reaches $1.5 million settlement with family of girl who died in foster care," *The* (Minneapolis) *Star Tribune*, June 7, 2018, https://tinyurl.com/yd7gnetd.

A settlement reached in the 2014 death of a 6-year-old Minnesota girl in foster care marked a victory for all foster children by exposing neglect by child welfare officials who ignored signs the girl might take her life, attorneys in the case said.

Opioid Abuse

Birnbaum, Emily, and Maya Lora, "Opioid crisis sending thousands of children into foster care," *The Hill*, June 20, 2018, https://tinyurl.com/y8usede8.

The number of children placed in foster care has risen 15 to 30 percent over the last four years in states most affected by the opioid addition epidemic, according to a newspaper's analysis.

Duncan, Byard, "As opioid crisis strains foster care, states aren't tracking the damage," *Reveal*, Jan. 8, 2018, https://tinyurl.com/y7zheg65.

Child welfare systems in states hard hit by opioid abuse cannot specify the role opioids play in rising demand for foster care because they do not track which drugs parents are abusing in homes where children are removed.

Rowe, Claudia, "The nation's opioid crisis is taking its toll on children across the Puget Sound region. Here's how schools could offer hope," *The Seattle Times*, June 27, 2018, https://tinyurl.com/yakcczvc.

School officials in Washington state say they have a potentially major role to play in helping families overcome parental opioid abuse and preventing more children from being placed in foster care.

Religious Exemption Laws

"Oklahoma, Kansas approve religious veto on LGBTQ adoptions," The Associated Press, NBC News, May 4, 2018, https://tinyurl.com/y794sfum.

Oklahoma and Kansas recently passed measures allowing faith-based foster care and adoption agencies to refuse to place children in LGBT homes if doing so would violate the agencies' religious beliefs.

Goodnow, Natalie, "Faith-based adoption agencies are too valuable to shut down," *The Hill*, June 12, 2018, https://tinyurl.com/yapf9mr7.

The foster care system needs faith-based agencies to help meet soaring demand, says a law firm in Wisconsin.

Miller, Susan, "ACLU sues Michigan over religious exemptions for adoptions," *USA Today*, Sept. 20, 2017, https://tinyurl.com/yc5olccp.

The American Civil Liberties Union has sued to overturn a Michigan law allowing faith-based foster care and adoption agencies to refuse to place children with LGBT couples.

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