



Wanted: Loving Homes for Children

BY DENISE BRADY

WANTED

Temporary or permanent homes for:

- *A newborn removed from her mother's custody to protect the infant from her mother's serious drug addiction;*
- *An 8-year-old boy who suffered physical abuse at the hands of his stepfather; and*
- *A teenage girl whose mother is in jail and who has no other family.*

Most children are lucky. They grow up in homes where their parents and the adults in their life love them and protect them from harm. Too often, though, a child's experience is very different. Many children are neglected by parents with serious addictions, sexually abused by relatives, or physically beaten by parents overwhelmed by stress or who were themselves raised in a home with family violence.

Coming from an environment where life is painful, basic needs are unmet, and the future is uncertain, children in the conservatorship of the state's child protective services system need, more than anything, hope. And a home.

The Texas Department of Family and Protective Services (DFPS) is statutorily charged with investigating possible cases of child abuse and neglect. In addition, DFPS is mandated to find substitute care for children who are or may be victims of abuse or neglect.

In most cases where DFPS has found a reason to believe abuse or neglect occurred, only temporary care is needed while DFPS works with the family to resolve the child safety issues without resorting to termination of the parental relationship. Less often, but still far too frequently, DFPS must initiate (or work with a local district or county attorney to initiate) action to legally sever the parental rights of the biological parent(s) and find a permanent placement for the child. In these situations, adoption is usually the preferred option. The department uses foster families in both kinds of circumstances — as temporary care while a child is in the state’s conservatorship and the department’s caseworkers are working with the family to make the home a safe environment or as a step en route to permanent placement in cases where the child cannot be safely returned home. Families interested in adopting a child from the state’s conservatorship do not need to foster the child first.

At the end of last year, more than 25,000 children in Texas were in some type of substitute care. Almost 16,000 of these were in foster care — 12,908 children in basic or therapeutic foster family homes and the remainder in other types of care, such as residential treatment centers, group homes, or emergency shelters.

Of the 9,253 children in other types of substitute care other than foster care, 7,673 were placed with relatives, 957 were in pending adoptions, and 623 were in other substitute care placements. The need for families willing to adopt remains great. In June, DFPS had more than 3,400 children waiting for adoptive homes.

Attorneys filling a need

Attorneys across Texas are finding satisfaction in providing substitute care in their own homes and families for some of the state’s most vulnerable children. These colleagues have discovered that fostering or adopting children from the child protective services system has been among the most rewarding and educational things they have ever done.

Just ask Greenville attorney Jessica Edwards. This 12-year prosecutor and her husband, Scott, a college administrator, have adopted four children from DFPS care. Theirs is quite a story. In 2002, after discovering they would not be able to have biological children, Edwards and her husband decided to adopt and realized that they wanted to open their home to children from the child protective services system. The couple knew they would have to love and let go of some children, as they eventually did, but they decided being able to help children in need would outweigh the heartache of sometimes having to say goodbye.

In August 2003, DFPS placed a little boy and an unrelated younger girl with the couple for temporary care, and both ended up joining the family permanently — eventually, so did the little girl’s two half sisters. The boy, Christian, was just 13 months old when Edwards and her husband first met him — a little guy who had been the subject of psychological abuse. He was returned to his biological mother once, but the Edwardses were finally able to adopt him in 2005. Tragically, Christian’s

birth mother later killed Christian’s baby sister. Today, Christian is a smart, sweet, and loving 8-year-old.

Channing, the little girl who arrived at the couple’s door the same day Christian did, had been removed from her biological mother immediately after birth due to the mother’s drug and alcohol abuse. Channing, like her half sisters McKenna and Sophie, who arrived one and four years later, respectively, tested positive for cocaine and alcohol at birth. Channing and McKenna, now 7 and 5, are challenged by some disabilities as a result of their birth mother’s drug abuse, but 2-year-old Sophie, so far, is developmentally right on target.

“We couldn’t be happier or more proud of our four ‘chosen’ children,” Edwards says.

Am I right for foster or adoptive parenting?

If you think you’re interested in fostering or adopting a child in DFPS’ conservatorship, your first step will be to attend an information meeting in your area where you can discuss the scope and requirements of being a foster or adoptive parent, or to contact a child-placing agency. A child-placing agency (CPA) recruits, trains, and verifies foster and adoptive homes and manages some aspects of the placement process. A CPA must have a contract with DFPS to complete foster or adoption activities for children in DFPS conservatorship.



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If you meet the basic requirements, you'll be invited to meet individually with DFPS or CPA staff to decide if fostering or adopting is right for you and your family. Basic requirements include being at least 21 years of age, financially stable, and able and willing to take on the responsibility of one or more children. Applicants may be single or married, and must be willing to share information regarding their lifestyle and background, including criminal background and abuse or neglect background checks. The DFPS or the CPA will request relative and non-relative references and will do a home study that includes visits with all household members. Prospective parents are asked to attend a training seminar to learn more about the children available through DFPS and must meet specific criteria that help ensure children are placed in safe homes, such as agreeing to a non-physical discipline policy, obtaining CPR certification, and vaccinating pets.

More important, you'll have the opportunity to decide which foster or adoptive care situation is the best fit. Some families only want to foster children, some only want to be considered for adopting, and some are willing to foster and then be considered as an adoptive placement if DFPS is unable to reunite the foster child with his or her biological family. Some families prefer fostering or adopting sibling groups, while others know that a single child is all they are able to support. Many children in DFPS conservatorship have special needs. Potential foster or adoptive parents are welcome to discuss with agency caseworkers any additional attention a child might require before they make a decision.

Carole Hurley, a sole practitioner and child welfare program consultant in Austin, is mom to two adopted daughters, 16-year-old Kara and 8-year-old Emma, and was a foster mom to several other children before adopting the two girls. "Once I realized having a biological child wasn't in the cards for me, I started thinking about becoming a foster parent," Hurley says. "At first, the very fact that there would be no long-term commitment was part of the appeal. I didn't know what I might be getting into!"

Hurley says that after fostering several children and having to see them go, she learned that, yes, it breaks your heart — but you recover. "It's okay if it hurts sometimes to let them go. I'll survive," she says. "It's more important to provide love and safety to a child who might have never known what it's like to be rocked and held."

Fostering eventually made Hurley realize that she wanted to adopt. As a single, working mother, she knew she couldn't adopt more than one or two. "One child, one time" is my philosophy," she advises. "Start with what you think you can handle, and it will be enough. I believe that you can make a difference for a child even if you only have them in your home for one week. And, like me, you might decide you want them forever."

Kara, a creative and gifted young woman with a lot of artistic ability, is taking college prep classes at her public high school. Emma is smart, cute, and charming. She teaches Hurley how to program her cell phone. Both girls have

neurological disabilities due to fetal alcohol exposure. They both require a little extra help every day, either in schoolwork or in learning to control their behavior. But for each disability these kids come with, Hurley says there is a gift. "Adopting these two beautiful girls is by far the best thing I've ever done."

What are the responsibilities of fostering or adopting children from DFPS?

The DFPS or the CPA works with prospective parents to determine what kind of caregiving arrangement would be best for them. The basic responsibility involved in either fostering or adopting a child is the same: Care for the child and provide him or her with a loving and stable home environment. Foster parenting is generally intended to be temporary, so some responsibilities are slightly different than those of an adoptive parent. For example, the child will have a caseworker and a foster parent must commit to regularly informing the caseworker about the child's well-being, including how the child is adjusting to home, school, and the community. The foster parent must also communicate about any problems that may arise, including any serious illnesses, accidents, or significant occurrences involving the foster children or their own families. Because DFPS may be attempting to reunify the child with his or her birth family, foster parents may be asked to participate as team members with the child's caseworkers toward reunification. Foster families receive a monthly reimbursement to assist with expenses associated with the foster placement.

Once a child's legal relationship with his or her birth family is terminated and an adoption is finalized, adoptive parents assume the same responsibilities as a biological parent would: Provide a permanent home and a lifelong commitment to meeting the child's needs, including emotional, mental, physical, social, health, educational, and cultural needs. Federal and state programs can provide financial support to adoptive parents of eligible children in the form of Medicaid coverage for the child's health care, a monthly stipend to assist with expenses, partial reimbursement for one-time costs associated with adopting, tax credits, and other assistance. DFPS also has a post-adoption services program to provide such services as case management, counseling, and respite care.

Patrick Jagers is a Houston family law attorney whose practice focuses exclusively on adoptions. Since 1986, Patrick and his wife, Terri (a professor at Sam Houston State University), have fostered 25 children, eventually adopting five of them.

"The greatest myth regarding adoption is that it's expensive," says Jager. "I always advise adoptive parents about all the resources available to them from various government or private sources. Many of my clients aren't aware, for example, that Texas law provides for a tuition and fee waiver at publicly supported institutions for certain college-bound youth that were adopted from the child protective services system."

Patrick says that his primary hope was that they could get all five children through high school in one piece, which they did. "These kids are just like any other kids. Some will grow up to

be doctors, and some won't. They shouldn't be written off just because they come from a tough background — it's their parents that messed up, not the kids. They just need people willing to step up and give them a home."

Want to Become a Foster or Adoptive Parent?

- Requirements for becoming a foster or adoptive parent can be found on www.dfps.state.tx.us (click "Adoption and Foster Care" on the homepage).
- To learn more about becoming a foster or adoptive parent, call (800)233-3405 or visit www.adoptchildren.org.

state, a "buddy system" has been developed in which experienced foster families, who understand the challenges and rewards of foster parenting, are available to share experiences with new families and give support.

What if I'm not sure whether I want to foster or adopt?

Many families start off just fostering, while some know from the beginning that they are interested in both fostering and adopting. In all cases, working toward what is best for the child is the primary concern. This usually means helping prepare children in foster care for reunification with their birth family, mentoring the birth parents, or working to secure a relative or kinship placement.

When termination of parental rights is in the child's best interest and adoption is planned, foster parents who have cared for the child or children will be given the opportunity to adopt. Dual certification of parents to both foster and adopt speeds up the placement process, reduces the number of moves a child makes, and allows relationships to evolve with the initial placement process. Nearly half the adoptions of children in foster care are by their foster families.

Adoptive families who are willing to accept placement of children who are not yet legally free for adoption, but for whom adoption is the anticipated outcome, can also become certified as foster families. This dual certification increases the opportunities for successful adoptions. In some areas of the

Why would I want to adopt a child who has been abused or neglected?

According to Irene Clements, president of the Texas Foster Family Association, families have the opportunity to change the future for an abused or neglected child. "What an awesome opportunity, and what an awesome responsibility!" says Clements, who has adopted four children and fostered 127 over the course of 27 years.

"There are both challenges and joys in fostering and adopting children who have been hurt, abandoned, or neglected in their previous lives," says Jessica Edwards. "Our children are beautiful, fun, unique, and tough! Yes, they have been hurt, and sometimes you can see that in their eyes. But, they are children first and foremost."



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Additional Resources from the State Bar of Texas And the Texas Young Lawyers Association

In 2009, more than 40,000 abused and neglected children were placed in the legal care of the State of Texas. Some were eventually reunited with their families, some were adopted into loving homes, but others remain wards of the state. To help protect children and educate parents and guardians, the State Bar and the Texas Young Lawyers Association offer legal guides on child protection and family law at texasbar.com/pamphlets:

- *Adoption Options: A Directory of Adoption Agencies in Texas* — In addition to a list of Texas adoption agencies, this pamphlet explains the adoption process.
- *Kids in the Crossfire* — This pamphlet helps parents understand the impact of divorce on children.
- *What to Expect in Texas Family Law Court* — Provides a guide for families who have a case in Texas family law court.

The State Bar Committee on Child Abuse and Neglect produced *A Handbook for Parents and Guardians in Child Protection Cases*, available in English and Spanish at texasbar.com/committees. The Committee also produced *When Babies Cry*, a DVD that educates parents, caregivers, and professionals such as attorneys and nurses on shaken baby syndrome. The DVD is provided free of charge to groups that meet certain minimum funding and training requirements. Copies may be requested by contacting Fairy D. Rutland at (512)231-5717 or fairy.rutland@hhsc.state.tx.us.

TYLA offers the following video at tyla.org: *R U Safe? Protecting Yourself in Cyberspace* — This four-segment video project teaches parents and children about Internet safety and the responsibilities associated with today's technology.