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Adoptions, Powers of Attorney, & TPRs

A Look at the Legislative Session Thus Far.....



The General Assembly is working towards a planned March 29 end date for its 2018 regular session. While a number of bills affecting child welfare are currently moving through the legislative process, perhaps the most significant legislative accomplishment so far is passage of HB 159, which both updates Georgia's adoption laws and provides a way for parents to place a child in the temporary care of a relative, child-placing agency, or certain nonprofits or faith-based agencies.

The section of the bill authorizing

placement of a child via a "power of attorney" was originally a source of conflict, Governor Deal having vetoed a similar proposal in 2017 on the basis that it allowed children to be placed with unregulated agencies. The final compromise, however, includes additional protections requiring that these powers of attorney be filed with the probate court and that nonprofits and faith-based agencies whose volunteers care for these children register with DFCS.

The adoption modernization is ex-

pected to make it easier for adoptive parents to add a Georgia child to their family. Over the past decade, Georgia has lagged behind other states in the number of adoptions.

The power of attorney provisions, while explicitly authorizing such volunteer programs as [Safe Families for Children](#), are primarily designed to allow a parent going through a tempo-

See [Legislation](#), page 4

A Different Approach to Education

MAAC works to improve grad rates for youth in foster care

It is no surprise to those close to child welfare that young people who have experienced foster care face multiple hurdles when it comes to their education. Frequent moves, varying school schedules, lost credits, competing priorities and the impact of trauma on brain functioning weigh heavily on a young person's educational journey, leading to dismal statistics when it comes to grade promotion, high school

See [LEADS](#), page 3



MAAC's LEADS program staff

OCA's monthly platform for the unedited voices of young people who have been in care....

Youth Voice

By Rob Hitchcock

Adoption is a light at the end of the tunnel, the silver lining in dark looming clouds, it's a gift that I had the fortune of having been given. It is sad knowing that we must save children from unfortunate familial situations and that these things continue to occur. Yet people are working tirelessly everyday to help children from these seemingly hopeless situations and bring them to that light at the end of the tunnel.

I was adopted by my family in 2005 at the age of six, having been through a number of foster families, getting situated with one family was difficult but being as

See [VOICE](#), page 5

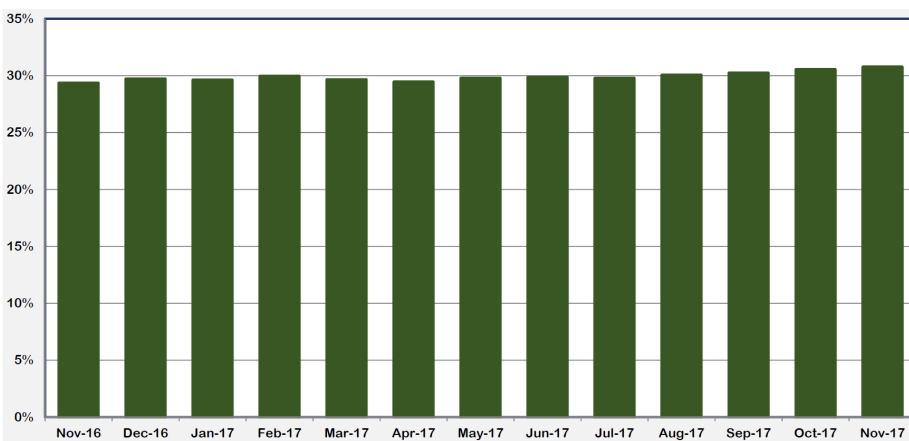


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Outcome X: Percent of Children Placed with Relatives
(November 2016 – November 2017)

The number of children who were in Foster Care that were placed with relatives during the month of November 2017 improved to 30.8%.



OCA Data Points: Relative Caregivers

A recent article in the Atlanta Journal-Constitution pointed out that in too many situations, children are placed in foster care with strangers rather than with their own relatives. The writer called for improvements in our system to encourage family members to take in and shelter children whose parents are going through a crisis and can't provide the care a child needs.

At OCA, we encourage policies that will keep children with relatives while their parents are receiving services designed to reunite the family. If

In November, 2017, the percentage of children in foster care placed with relatives increased to 30.8% (Source: Georgia DFCS)

See [OCA DATA POINTS](#), page 5

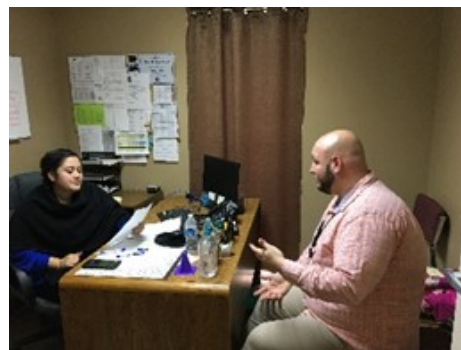
Whitfield County DFCS: Building a Culture of Support

By: Rachel Davidson,
OCA Deputy Director

On a cold January day in an unassuming building tucked away off the main road, CPS workers are doing extraordinary work on an ordinary day. On this shift they learn that a 4-year old in foster care died due to medical complications, conduct an interview with a grief-stricken father whose infant child died while co-sleeping, and discuss how to ensure an at-risk child does not become a victim of human trafficking. The work is not easy and staff are easily susceptible to secondary trauma.

To combat the stress and trauma associated with working in child welfare, Whitfield County DFCS has made a concerted effort to cultivate an environment that supports staff and promotes a strong sense of teamwork, leading to an overall positive morale and work environment. Indeed, one worker described the culture as one where her co-workers 'make her want to come to work every day'.

Support can come in many forms. And the leadership at Whitfield County DFCS has become creative with the variety of ways they offer support to staff as they attempt to make sure everyone feels valued and included. Several group level efforts include: "Stall Wall News" – posted in the restroom with accolades and other news; the "Employee Council" – a group of staff that plans monthly fun, stress-relieving events for the entire staff, such as a Fall Fling, bake sales, a pajama drive for youth in care, and a soon-to-be held Mardi Gras celebration complete



Whitfield CPS staff working together

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Leads, continued...

graduation rates, and post-secondary attainment. Of course, it is clear to most that the lack of educational success only further hinders young people as they work to successfully transition from foster care into adulthood.

Last summer, the Multi-Agency Alliance for Children (MAAC) received a contract by the Division of Family and Children's Services (DFCS) to pilot the Education Service Delivery Model for youth in care, ranging from 7th-12th grade, who are also residing and in custody of Fulton and DeKalb counties. The program, LEADS (Learn, Educate, Achieve, Dream and Succeed), is intended to expand the work of a smaller pilot led by then Director Cagle, Project Graduate, that was to study and focus efforts on increasing graduation rates for youth in foster care. While the high school graduation rate for Georgia is 79% (Georgia Department of Education 2016), the graduation rate for youth in care, according to the Project Graduation work, is only 18%. Even the disappointing national graduation rate for students in foster care, estimated to be about 50%, is still significantly higher. LEADS' goals are to improve timely grade promotion and reach a graduation rate of 50% among its participants.

MAAC recognized that the educational success of students is not always directly about education, especially when considering all the elements of the child welfare system. With this, the LEADS team quickly in-

corporated a whole student approach that includes coordination among partners and most importantly youth voice and choice. In addition to facilitating and completing educational assessments and action plans, and coordinating educational support via tutors or other aid, LEADS coordinators work with the student and their whole team -- foster parents, case manager, school staff, etcetera -- to identify the best approach to their educational goals. Students are asked directly about their own dreams and goals, and coordinators help them manage the steps needed to get there, breaking down larger, more long-term goals into school year, semester and even weekly goals -- lifting youth voice and choice while also strengthening executive function skills. LEADS coordinators also act as advocates for their students among the many system-based adult supporters, encouraging fewer school moves and school day interruptions. Other factors affecting school disruption such as placement instability, specific student needs, and the impact of trauma are also addressed via LEADS with a wrap-around approach.

The LEADS program is supporting students through its process and business systems as well. Education-based needs for students can be managed and advanced much faster than previously, and per-student-based billing allows for maximum leverage of funds. Caseloads are much smaller, and MAAC's variety of partners allows LEADS to meet specialized student needs. Key partners in the work include Communities in Schools Atlanta,

Communities in Schools Georgia, CHRIS 180, Creative Community Services, Georgia CASA and Georgia State University.

While all LEADS coordinators are knowledgeable in both the educational and child welfare system, specific coordinators are especially knowledgeable in key student topics, including needs of older youth -- providing a tailored approach for the coordinator-student match. MAAC's long history and culture of cross-system collaboration and trauma responsive care have been crucial to the LEADS work.

As of this article, LEADS had served 313 youth and was thrilled to celebrate their first high school graduation in December. While the specific outcomes for the LEADS program are grade promotion and graduation, MAAC understands that these are merely steps to the long-term goal of helping students access and graduate from post-secondary training or education and ultimately being able to have a successful job and career path that allows them to support themselves and their families. MAAC is excited about the future of LEADS, but most importantly excited about supporting the future of its students.



[Click here for more info on MAAC's work](#)



Legislation, continued

rarity hardship to place a child with relatives beyond grandparents, as permitted by current law. It is important to note that the newly-passed legislation is not to be used as part of an effort to avoid a DFCS investigation, and the bill specifically gives DFCS the ability to investigate alleged child maltreatment even in cases where the parent has used a power of attorney to place the child with a relative or agency.

Although the power of attorney may last up to a year when a child is placed with a *non-relative* volunteer, OCA believes the time a child spends away from his or her parents and close family members should be limited to the shortest time necessary. Children who can't live with their parents deserve to maintain their normal lives to the greatest extent possible. Agencies, churches, and nonprofits providing services to these children should therefore take steps to ensure that:

1. the child visits with his parents, siblings, and family on a regular basis;
2. the child can continue to attend the same school, participate in ongoing extracurricular activities, and visit with friends; and
3. the parents are receiving the assistance, therapy, or other services necessary to reunite with their child in the shortest time possible.

Other bills of interest that are active in this session of the General Assembly include:

- **SB 131**, which would postpone adoptions pending a final judgment in a related juvenile court TPR proceeding.
- **HB 802**, which would eliminate life without parole for defendants under the age of 18. In many cases, youthful serious offenders would be eligible for parole after 15 years.
- **HB 605**, the "Hidden Predator Act of 2018," would (among other provisions) allow a survivor of childhood sexual abuse to sue an *organization* responsible for the abuse.
- **HB 740**, which limits school suspension for children below fourth grade and ensures younger students receiving disciplinary measures are properly evaluated for learning disabilities and health issues.
- **HB 763**, which would expand the school attendance protocol to include consideration of school climate.
- Also expected to be introduced are proposed initiatives that may affect the way termination of parental rights cases are handled by DFCS and the courts.

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To keep up with the General Assembly's work:

- Learn more about the Georgia General Assembly and monitor legislation of interest at <http://www.legis.ga.gov/>
- Learn updates on bills of interest to child advocates at <http://bartoncenter.net/about/maillinglist.html> and <http://georgiavoices.us6.list-manage.com/subscribe?u=c03d7039c9f51b08a13301ce5&id=da24a184d9>



OCA Data Points, continued...

the parents take those necessary steps, then the children can live again in their own home. Meanwhile, the children will be with a grandparent, uncle, or other close relative with whom they have a bond. (Sometimes, those folks who have that close bond are fictive kin, or what we used to call growing up "Might as Well Be" relatives). If the parents aren't able to safely care for their children on a long-term basis, we can then help the relatives serve as a permanent home for the child.

Both DFCS and the juvenile courts are required to search for a relative placement when a child comes into care. Even before a child is placed in foster care, DFCS will often ask that the parents allow a child to stay with a relative or close family friend pending an investigation into the family's situation. This temporary arrangement should last no more than 45 days. Currently, there are 321 children living in such temporary arrangements.

OCA supports the use of appropriate, safe family placements. As the chart on page two indicates, approximately one-third of children in foster care are placed with relatives. DFCS could increase this percentage through the following practices and policies:

- Searching far and wide for potential relative placements at the beginning of each case, even before the child comes into care, and ensuring proper home evaluations are done on those families;
- Ensuring that relative placements as well as fictive kin placements are supported, including by providing reimbursements for the costs these relatives and "almost relatives" incur when caring for children.
- Providing that when relatives and fictive kin become certified as foster parents by completing the necessary training, that they receive reimbursement for the care they have provided retroactive to the date they took the child into their home.

Encouraging relative participation early in the child protection process will increase the percentage of families who are caring for their own flesh and blood. Doing so also will avoid one of the complaints that OCA often receives: that after a child has been in a stable foster placement for over a year with a potential adoptive family, a relative "comes out of the woodwork" to seek custody of the child. Such situations do little more than create additional trauma for the child as well as for those who love and care for him or her.

Voice, continued....

young as I was I adapted fairly quickly. I will say the most difficult thing to me with adoption is taking into account the differences of people and how they react to their own situation. I personally have come to peace with my biological family through my own stumbles and failures in life. I have recognized that I hold no anger towards them, only pity. I have learned that anger towards

them only leads to hurting the people around you and even yourself. Just knowing what put them in their situation can prevent you from making those same mistakes that they made and help you become a better person. To me understanding this is just one chapter in your life, will help you learn to take it as encouragement to succeed and not an anchor to hold you down.

WHY?

Why are children in foster care at high risk of becoming victims of human trafficking?

Children in foster care tend to have endured some form of trauma and may have a sense of instability or lack healthy relationships with supportive adults. Predators know this and prey on these young people by appealing to their cravings for love, acceptance, affirmation, and dependability. There are many red flags that, particularly when combined, may indicate a youth is a victim; some of these include:

- The youth has a significantly older boyfriend.
- The youth is labeled as a chronic runaway.

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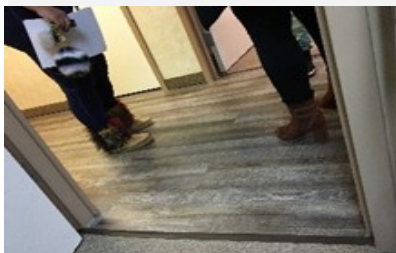
Whitfield, continued....

with the crowning of a king and queen; and a “lunch club” where staff take turns making lunches for each other, which encourages camaraderie, money savings, and weight loss. This culture of support has trickled down from leadership and is inspiring staff to build stronger connections with each other. Two case managers that live near each other even exercise together before their workday begins. While staff are professional in their work, they appreciate leadership giving them room to have a little fun and to take some time for self-care.

In addition to having fun together, supervisors and leadership regularly make themselves available to staff for individual and case level support. While one case manager felt like he received good initial training, he also felt that “nothing can truly prepare you for what you will encounter on a day-to-day basis.” Indeed, he was stunned when he responded to a report about truancy and stumbled upon an adult who was caged (Adult Protective Services was called). He and his co-workers describe the easy access they have to their supervisors whenever they need to run a decision by them: they tend to reach someone on the first call. Their county director regularly walks around the office to provide additional support and makes himself available to help case managers process their cases. One case manager acknowledged that she has never been told “no” when asking for back up. Although this is a “first job” out of college for a number of newer staff and several stumbled into the job not fully knowing what they were getting into, they recognize the importance of the support their leadership provides and understand that not every county office offers the same support.



“Zero-hour” staffing



Support is offered to grieving parents

Support is ultimately a team effort. The feeling of teamwork was palpable throughout my time in the Whitfield County DFCS office as it permeates all their efforts. I saw staff who enjoy coming to work because of their co-workers. As I prepared to return home, severe weather loomed. One worker gave her co-worker a hand with a case so he could get on the road a little earlier to face the treacherous drive ahead of him. Even as the office closed early due to snow and dangerous conditions, 18 staff voluntarily joined a 30-minute “zero hour”, or pre-removal staffing, a last-ditch effort to prevent a child from being removed from his home.

Staff signed up for this work because they wanted to make a positive difference in the lives of families and children. In spite of the difficulties, they try their best to be empathetic while keeping children safe. They understand that families are not always receptive when DFCS knocks on their door. Staff work hard to build rapport and make families as comfortable as possible while they address the concerns at hand. They also understand the trauma to a child when removed from their home so efforts are made to prevent removals at all costs. As one case manager put it, “Kids generally thrive better when they are with their family. I might have had a panic attack if I was placed with strangers as a child.” Another case manager described how difficult it is to be the “bad guy” because a child doesn’t understand that a removal is meant to keep him safe. And while DFCS staff have the power to effectuate a removal of a child from the home, they don’t abuse this power or take it lightly. They see that so many parents are doing the best they can. And they see families who need resources, not additional stressors.

As one young case manager with two children of her own acknowledges that achieving a positive work-life balance is difficult and there are some frustrations, she would choose the same job even if she had to do it all over again. Because she feels like she makes a difference – something that is made easier by her leadership’s efforts at reducing the effects of secondary trauma. During my visit, one mom made a special trip to the office, bringing her daughter by to tell the case manager how well they were doing. It’s those moments that reinforce the idea that this dedicated group of folks are right where they need to be.



Why, continued...

- The youth is increasingly absent from school or missing from home, with no explanation of their whereabouts.
- The youth has new material items (clothes, jewelry, cell phone) or an increase in income that he/she cannot or will not explain.



At OCA, we encourage the quick reporting of children who have run away from home or from foster care, as these children may quickly fall prey to those who would exploit them. Please make sure all runaways are reported to police for inclusion on the National Crime Information Center and to the National Center for Missing and Exploited Children. All children under 18 are also subject to the juvenile court's CHINS jurisdiction, and the juvenile court judge can issue a "pickup order" so that the child can be held by authorities if found. If you are aware of a youth in Georgia (whether in foster care or not) who you believe may be a victim of human trafficking, please make a referral to Georgia Cares at 1-844-GA-DMST or www.gacares.org/refer_a_youth.php.

Georgia Office of the Child Advocate for the Protection of Children

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- Internet: <https://oca.georgia.gov/webform/request-oca-assistance-or-investigation>

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