

## Judiciary Committee

### SB 585 Family Law – Children in Out-of-Home Placements – Mandatory Concurrent Planning

Tuesday, February 18, 2020

#### SUPPORT

Dear Judiciary Committee Members,

I am writing in **support of Bill # SB 585, Family Law – Children in Out-of-Home Placements – Mandatory Concurrent Planning**, that would require, rather than authorize, reasonable efforts to place a child for adoption or with a legal guardian to be made concurrently with reasonable efforts to preserve and reunify families.

I have been a foster parent in Frederick County for nearly six years, and I served as a Court Appointed Special Advocate (CASA) for four years in Maryland and Virginia prior to that. During my years as a foster parent, I've had more than 15 children in my home. I believe in the goal of reunification, and for the kids who have lived in my home with that as their primary goal, I've done what I can to encourage and support their birth parents. For many of my kids who have returned home, I am still in contact with their parents, and I still try to support and encourage them whenever I can.

But for some children, safe reunification won't be an option, and while we should continue to make every effort toward that goal, we can't wait to turn to plan B until after plan A is ruled out. I'm convinced that the single hardest thing for kids in foster care is living in limbo, in the unknown without any sense of permanency. We must do everything we can to shorten the amount of time kids spend in limbo.

In order to illustrate how mandatory concurrent planning can make a difference for children in foster care, I want to share the stories of both foster children currently in my home. Each is different, with different outcomes, but both could have spent less time in foster care if concurrent planning was mandatory.

B is 11 years old. The initial plan in her case was Reunification with her mother. She had been in foster care for approximately 18 months, with no significant progress towards reunification, when the courts added a concurrent plan of Custody and Guardianship. The Department of Social Services pursued potential placement with an aunt who lived out of state. The home study from that state indicated the aunt was not a suitable resource, and with no other relatives deemed suitable and willing to participate in a home study, B's plan was changed to Custody and Guardianship with a concurrent plan of Adoption. This process, from the time concurrent planning began until the plan was changed to include Adoption, took over six months. B has now been in foster care for over three years and is just a couple weeks away from her adoption hearing. If a concurrent plan of Custody and Guardianship had been pursued from the start, the courts and the Department of Social Services would have known much more quickly that a relative placement was not an option for B, and they could have pursued identifying an adoptive resource more quickly, leaving B with less time spent in foster care.

M just turned 15 years old. She has been in foster care for over two years, and the only plan for her case has been Reunification with her mother. M moved into my home after another foster home closed in

August 2019. At the time she joined our family, I asked if there was a concurrent plan, a plan B. At that time, everyone, from the social worker to her CASA, was convinced that she could return home within a few months, so a concurrent plan wasn't necessary. They were just waiting on an official report regarding one of the other members of her birth family's household, and they were certain they knew what the report would contain. Two months later, the report came in, with a different result than expected, indicating Reunification with her mother should no longer be an option. The Department of Social Services began pursuing other permanent resources. That was four months ago, and progress on that front has been slow going. In addition, at a court hearing in December 2019, the magistrate was unwilling to add a concurrent plan of Custody and Guardianship with no identified permanent resource. This, in turn, makes finding a permanent resource more difficult, as there are families who may be willing to be that resource, but not until they have a reasonable expectation that Custody and Guardianship or Adoption might be the outcome (something difficult to trust when the only plan remains Reunification). At this point, we have no reasonable expectation of how long M will remain in foster care, just that there is no end in sight.

Every plan for a child's case, whether it is Reunification, Custody and Guardianship, Adoption, or another plan, takes time to pursue (and in some cases, rule out). Every potential option for permanency needs to be pursued from the beginning. When we need to switch gears months, or even years into the process, we lose valuable time and leave kids languishing in limbo. Maryland is currently fourth from the bottom of the list of states in the percentage of children who find a permanent home each year. This bill is a simple change that could dramatically shorten that time.

For all of these reasons, I strongly urge this committee to vote **favorably on Bill # SB 585, Family Law – Children in Out-of-Home Placements – Mandatory Concurrent Planning.**

Respectfully Submitted,

Kristy O'Neal  
310 Broadway Street  
Frederick, MD 21701  
757-613-4449  
kristy.oneal@gmail.com