



Written Testimony of Hope Cooper
Program Manager for CHAMPS
Regarding HB 369

Before the House Judiciary Committee
Maryland General Assembly

February 6, 2020

Chair Clippinger, Vice-Chair Atterbeary, members of the Committee, my name is Hope Cooper and I am the Program Manager for CHAMPS, which stands for Children Need Amazing Parents. CHAMPS is a national campaign to promote the highest quality foster parenting through policy change at the state and national levels. CHAMPS works with a coalition of national organizations such as the National Academy of Pediatrics, the Brookings Institution and the North American Council on Adoptable Children, among others. It also supports a network of state partners throughout the country, including in Maryland.

CHAMPS has not taken a position on HB 369 but offers this testimony by way of background and context in hopes that it will aid in the Committee's deliberations.

One of the six CHAMPS policy goals is to engage foster parents in decision-making about the children in their care. Foster families spend more time with children in foster care than any other professional partner. Foster parents have valuable, child-specific information that is important to share with courts and agencies, information that can assist with case planning, permanency planning, and health care and education decision-making. Accordingly, foster parents should be treated as priority partners on the child's care and treatment team and their input should be considered as seriously as that of professionals such as clinicians, attorneys and social workers.

Research has shown that foster parent involvement in planning and decision-making is linked to increased foster parent satisfaction and intent to continue fostering. Foster parents report wanting to be part of a professional team that is planning for the child's future, and often cite the lack of involvement as one reason for being dissatisfied or even quitting.¹

¹ Geiger, J.M., Hayes, M.J. & Lietz, C.A. (2013). Should I stay or should I go? A mixed methods study examining the factors influencing foster parents' decisions to continue or discontinue providing foster care. *Children and Youth Services Review*, 35(9), 1356-1365; Denby, R., Rindfleisch, N. & Bean, G. (1999). Predictors of foster parents' satisfaction and intent to foster. *Child Abuse and Neglect* 23, 287-303; Sanchiro, A., Lau, W., Jablonka, K., & Russell, S. (1998). Foster parent involvement in service planning: Does it increase job satisfaction? *Child and Youth Services Review* 20, 325-346; Office of Inspector General, U.S. Department of Health and Human Services. (2002). Retaining foster parents. Retrieved from: <https://oig.hhs.gov/oei/reports/oei-07-00-00601.pdf>.

Policy at the federal level and in many states supports engagement of foster parents in decision-making. Federal law, for example, requires foster parents to be notified of court hearings and to be provided an opportunity to be heard. However, most states are not fully complying with this requirement. In the latest round of Child and Family Services Reviews, the federal government's primary means of holding states accountable for child welfare outcomes, the performance of only four states was rated as a Strength in this area. In all other states, including Maryland, providing foster parents with notice and opportunity to be heard was rated as an Area Needing Improvement.

The federal law expressly states that the requirement for notice of court hearings and an opportunity to be heard does not confer party status on foster parents. There are some important distinctions between right to notice and party status. In general, unlike individuals who may attend hearings and speak to the court, parties to a proceeding may file motions, call and cross-examine witnesses, make arguments and receive court reports. Some states allow foster parents to intervene and become parties to child welfare proceedings under certain circumstances. Colorado law, for example, allows foster parents to intervene as a matter of right after adjudication if they have had the child in their care for more than three months and have information or knowledge concerning the care and protection of the child.² Foster parents in New York who have cared for a child for more than 12 months are permitted as a matter of right to intervene in any proceeding involving custody of the child.³ Other states that allow foster parents to intervene under specified circumstances include Indiana, North Carolina and Texas.

Other avenues for engaging foster parents in decision-making include creating foster parent advisory boards to promote caregiver involvement in policy development, ensuring that foster parents are included in child and family team meetings, and clarifying the types of information about children's health and education that foster parents are entitled to receive.

CHAMPS appreciates the opportunity to provide the foregoing testimony and is available to consult with members and staff of the Judiciary Committee for more information if desired. Please feel free to reach out to me at hope@fosteringchamps.org. More information about CHAMPS can be found on our website: www.fosteringchamps.org.

² Colo. Rev. Stat. sec. 19-3-507(5).

³ N.Y. Social Services Law, sec. 383.