

The Adoption Permanency Docket

by Kevin M. Oeffner
Circuit Court Administrator



Were you to venture into the courtrooms of Judge Linda Hallmark, Judge Cheryl Matthews, Referee Martin Alvin or Referee Scott Hamilton at a certain time each week you might find them presiding over cases on the adoption permanency docket. They helped the Family Division bring a special emphasis to removing the barriers

to adoption faced by children who find themselves 'legal orphans' because their parents neglected them to the extent that the court terminated the parents' rights. Aided by adoption agencies, these children are in search of their new families. These judges, with support from permanency coordinators and other court staff, utilize a combination of strategies proven to be effective in reducing the time from the termination proceedings to the finalization of the child's adoption.

The adoption permanency docket is rooted in a two-year pilot program begun in 2008 that utilized a single judge (initially Judge Martha Anderson, then Judge Hallmark), a pilot group of children, and court staff assistance. The results in the pilot group were compared to the results over the same time period of children in a control group who were similarly situated. Between April 2010, and January 2011, we evaluated the various strategies used to remove barriers and expedite adoptions in the pilot group. The differences in the rates of finalized adoptions and lengths of time to finalize adoptions were noteworthy. The full report may be viewed at http://www.oakgov.com/circuit/permanencyproject/study/permanency_study.pdf.

Early in 2011, representatives of the court and the Oakland County office of the Michigan Department of Human Services (DHS) discussed expanding the scope of the permanency docket from the small group of children served by the pilot to all of the children who needed adoption permanency and were within the jurisdiction of the Circuit Court. The court and our collaborative partners sought and received federal adoption incentive monies to institutionalize the best practices from our study across the full circuit court.

In a separate action, while our grant application was pending, the court submitted our Adoption Permanency Project and Study to the National Association for Court Management. In early May 2011, the NACM notified us that we were selected to receive the Justice Achievement Award, given annually to one court for outstanding achievement that enhances the administration of justice.

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(See press release at <http://www.oakgov.com/circuit/news/index.html>.)

All of the judges within the Family Division have been supportive and aided in the expansion of the adoption permanency docket. Judge Hallmark and Judge Matthews agreed to serve as the permanency docket judges, assisted by Referees Alvin and Hamilton. Each of these individuals retains their existing docket but in addition receive WW cases where other jurists had terminated parental rights and committed the child to the Michigan Children's Institute. At any moment in time, between 135 and 150 children are on the permanency docket, with children entering at the time of MCI commitment and exiting when their adoption is finalized.

Bolstered by specialized P-calendars and summary reports, the permanency docket jurists hear a child's case typically once every 60 days, but more frequently as the situations warrant. Each child has a scheduling order, which sets forth the court's expectations for the adoption agency. Reports from foster care workers and adoption workers are expected in a special format and, since January 1 of this year, must be submitted electronically. A Sharepoint® calculator tells if the report is timely or late. Lawyer-guardian ad litem (L-GAL) have special roles and are encouraged to participate in permanency planning conferences and other significant planning events for the child. A portion of the grant helps pay for the added costs the court incurs for

L-GAL services, including the more frequent hearings that these cases demand.

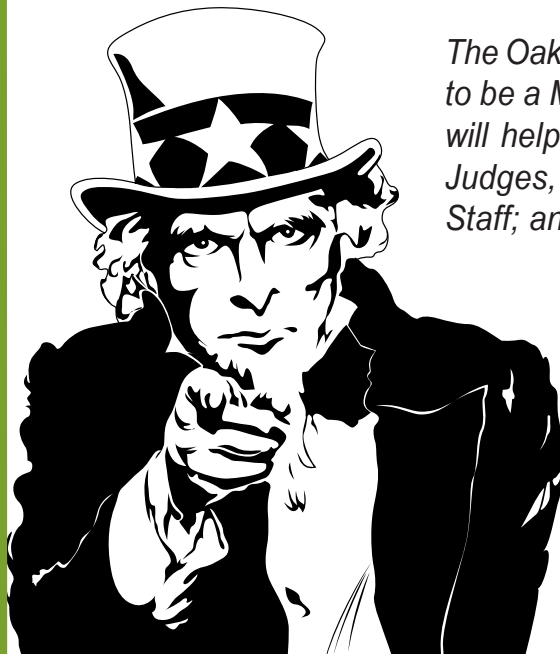
The most significant change was the addition of two permanency coordinators to court staff. These employees, with many years' experience in adoptions, serve as a resource to the judges and referees, court administration, and especially to private adoption agencies and DHS. They attend all hearings, do a pre-hearing report for the judge identifying all pertinent concerns, and come to intimately know each child's case and the barriers to that child's adoption. They point workers to untapped resources and focus on moving the case forward. Together with the judges and management, they form the basis of a court team that serves as a model across Michigan.

The process is working. In the seven months the permanency docket has been in full operation, more than 60 children have achieved adoption permanency and the average time a case is open has dropped by more than two months. The hard work and dedication of these individuals has certainly made a difference in the lives of these children as they move to their 'forever families.'

NOTE: I want to recognize **Bill Bartlam** and **Lauran Howard**, both valued members of the Circuit Court, whose contributions to the establishment of the adoption permanency docket cannot be overlooked. I also want to thank Mr. Bartlam, whose contributions to this *LACHES* article are greatly appreciated.

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