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A Family for Every Child

Answers to your most common questions about foster care adoption.

So many questions, so few answers

Day in and day out I get calls and emails with various questions about foster care adoption. Some are easy to answer, and some take a little research. I found the following list on Adoptive Families not too long ago containing some of the more common questions families have pertaining to foster care adoption. The answers to these questions are pretty basic, but should give you some idea of how this process works. You may have seen these questions before in other emails I've sent out, but there may be some new questions with answers that you haven't seen before. As always, I am here to answer any question you may have, so definitely keep them coming!



Frequently Asked Questions

What's the process like? Are there any general guidelines?

I can explain the process in general terms, but each state has its own adoption laws and policies, and the steps involved vary from state to state. It's wise to learn about your state's laws at the outset (look them up at adoptuskids.org/resourcecenter). If you contact AdoptUsKids by phone (888-200-4005) or online (adoptuskids.org), you'll be put in touch with a public agency (or contracted private provider) in your state.

Prospective adoptive families don't have to have a lot of money or own their own home. In all but a few states, parents can be married or single. (Single-parent families accounted for 31 percent of all adoptions from foster care in 2010, according to data from the Adoption and Foster Care Analysis and Reporting System, or AFCARS.) A prospective adoptive family must demonstrate that they can provide a permanent home for a child or sibling group, and that they can provide a safe environment and support the health, mental health, educational, and social needs the child has.

How long does it take to adopt from foster care?

The freeing of a child for adoption through the termination of parental rights and the legal process to adopt are complex procedures. Families who are just beginning to explore whether or not adoption from foster care is right for them should plan on spending between nine and 18 months, on average, to complete the inquiry, orientation, preparation classes (typically 24 to 30 hours over the course of several weeks), and homestudy requirements. In 2009, the average length of stay in foster care for children who were ultimately adopted was 30 months.

How much does it cost to adopt a child from foster care?

Families who work directly with a public agency typically incur no costs. Families who use a private agency, which will, in turn, work with the public agency in their state or county, may have some out-of-pocket expenses. Families can typically recoup most or all of these expenses after finalization through the federal adoption tax credit.

What's an adoption subsidy?

Ninety percent of the children adopted from foster care in 2010 qualified to receive an ongoing subsidy (in 2003, the monthly average was \$462) because they met their state's definition for "special needs." The purpose of adoption subsidies is to remove the financial barriers which may prevent a family from adopting from foster care, and to assure that a child's special needs are met until he becomes an adult, between the ages of 18 and 22, depending on the state.

How does a child's legal status affect the adoption process?

Many states now offer a dual foster/adoption licensing process, because a child is considered a foster child until his adoption is finalized. While states have different laws regarding the termination of parental rights (TPR), no adoption can be finalized until the child's birthparents have been identified, notified of their legal rights, given an opportunity to participate in the court process, and the TPR process is completed. Although many

changes have been made in recent years to streamline the TPR process, this can take many months.

From the child's point of view, it is better to be in a foster-to-adopt (or "concurrent") home earlier in his or her stay in foster care. Then, if a child does not reunify with his birth family, he is already with the family who can adopt him. Most states give top priority to relatives and current foster parents when a child becomes legally freed for adoption. In 2010, 85 percent of children adopted from foster care were adopted by relatives or by non-relative foster parents.

Is it possible to adopt a child who lives in another state?

Yes! You can look on adoptuskids.org (**Note and A Family for Every Child's site, too!**) to see children from across the country who are waiting for permanent families. Adopting across state lines means families must familiarize themselves with the laws and practices of both their own state and the child's state, and they need to be sure from the outset that their home study agency will help them do an interstate adoption.

Is it possible to adopt a baby from foster care?

Nearly all children in foster care have been removed from their families of origin because of alleged abuse or neglect. In general, the primary goal is to remediate the conditions that brought the child into care so that he may return home. Only after such efforts have failed are parental rights terminated. In most cases, once a child is freed for adoption, he's adopted by relatives or by the non-relative foster parents who have been caring for him. Thus, if you're able to foster before adopting, it is possible to adopt a baby. But infants who are in foster care are generally not available to be adopted by families who do not have an existing relationship with them.

Can adoptive parents specify preferences about the child they are seeking to adopt?

An important part of the family preparation and homestudy phase is working with a social worker to identify the characteristics of the child(ren) you feel interested in and equipped to adopt. These may include age, gender, race, physical and mental health, and what connections to the child's birth family are in his best interests to preserve. In many states, older children (ranging from 10 to 14 years, depending on your state) must consent to their own adoptions.

What does "special needs" mean as it relates to children in foster care?

Each state defines "special needs" differently. In general, however, a child may be considered to have special needs if he: is age five or older, is a member of a minority group, has one or more ongoing physical, mental, or emotional health issues, or is part of a sibling group that needs to be placed together.

Can parents use a private agency or social worker?

States differ in how they work with private adoption agencies and whether they will accept a homestudy prepared by a social worker who is not affiliated with a public or private agency. It is important to ask at the very beginning of your journey to adoption about your state's policies.

Is it necessary to involve an attorney in the process?

In most states, it is not required to involve an attorney in an adoption from foster care. Some families choose to do so because it gives them greater confidence in the legal process. In most states, children are represented by attorneys in the process, but if the adoptive parents want legal representation, they must use a different attorney.

What does a caseworker do?

Each child has his or her own caseworker. The caseworker is a key player in the process, charged with assuring that the child's needs and rights to safety, permanency, and well-being are met. The child's caseworker is rarely the sole decider as to who will adopt a child, but is likely the person with whom the family will communicate, either directly or through their adoption social worker, until the adoption is finalized.

Are adoptions from foster care generally successful?

More than 98 percent of legally completed adoptions remain intact. Adoptions appear to be more stable when parents have flexible and realistic hopes and expectations for their children and when post-adoption supports are available and used. It is important for families to ask about the availability of adoption support services when a particular child has been identified for adoption.

KATHY LEDESMA, MSW, has been National Project Director of AdoptUsKids (adoptuskids.org) since 2008.

[Source](#)

Foster Care Adoption Statistics

Estimated number of children in U.S. foster care: 408,000

Waiting to be adopted: 107,000

Average age: 8.1 years

Younger than two: 12%

White: 39%; Black: 29%; Hispanic: 22%

Boys: 53%;

Girls: 47%

Estimated number of children adopted from foster care in 2010: 52,891

Adopted by foster parents: 53%

Adopted by relatives: 32%

Adopted by parents who had not previously cared for them: 15%

Adopted by single-parent families: 31%

Children receiving an ongoing financial subsidy: 90%

SOURCE: AFCARS Preliminary FY 2010 Estimates

For a more recent (2011) AFCARS report, contact the Matching Assistance Coordinator at nora.sharp@afamilyforeverychild.org

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