

Testimony of Margie Chalofsky
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Public Oversight Hearing
Extending Adoption and Guardianship Subsidies until age 21,
Expanding Guardianship Subsidies to non-kin, and providing
Increased Post-Adoption Supports and Verification Requirements

Before the DC City Council Committee on Human Services
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Good morning, Chairman Wells and members of the Committee on Human Services. My name is Margie Chalofsky and I am the Director of the Foster & Adoptive Parent Advocacy Center, commonly known as FAPAC. I am also a former DC foster parent and current adoptive parent of a terrific 15 year old son.

As you know, Chairman Wells, FAPAC is a grass-roots organization that is focused on serving foster, kinship and adoptive families and on training and organizing our families to be active stakeholders in the systemic reform of the District child welfare system.

Over these past eight years, we have talked in depth with hundreds of foster, kinship and adoptive families about the issues that create barriers for them in providing the best care for the District's children in their homes. These barriers form the heart of our advocacy agenda. There are many different kinds of issues that we hear about.

Some of these concerns are brought up to administrators at CFSA or private agencies, discussed, and resolved. There are those issues that come up, are discussed, but for whatever reason cannot be resolved and remain as barriers. Then, finally, there are those issues that have been around for so long that they have become institutionalized as chronic barriers in our landscape.

Adoption subsidy between ages 18 -21 is one of these long-term issues. When FAPAC opened its doors in October 2000, it was one of the first issues brought to us. In fact, the person who was the staunchest advocate at that time for this issue was Mr. Johnson, a long-time dedicated adoptive parent, who we have the honor to hear from today. At that time, Mr. Johnson educated me to the fact that for many adoptive parents, subsidy ended while children were still in high school. He educated me to the fact that many of our children fall behind in school as a result of trauma, from changing schools and sometimes from actually missing school. For these children, successful academic performance demands that they focus all of their time and energy on their schoolwork; requiring them to get a job to help support themselves, as we might do with our birth children, can be inappropriately burdensome. He educated me to the fact that for many adoptive parents, their own ages were moving them towards retirement at just about the time their adopted children were reaching 18 and losing their subsidies, and that these factors together combined to create much financial difficulty for children and families.

In these years since my eyes were opened to this issue by Mr. Johnson, I have listened to many other parents who have taught me about their complex situations. I have met parents who could not afford to adopt their teenagers due to needing the support of the system to meet their complex educational or other special needs. I have met parents who adopted their young adults as they were turning 21, so as to be able to access the services they required for as long as possible. I have met parents whose children's' mental health needs escalated greatly throughout adolescence and whose extreme expenses for intensive mental health services and/or residential treatment caused deep financial hardship on the family unit as a whole.

Three of my children are grown. I assure you that none of them became independent at 18. However, the children born to me had the benefit of being in one stable family for their whole lives. Although they still needed our support, they started life with a family situation that gave them confidence in making their way in the world. The fact that children in adoptive or guardianship homes might have special needs because of their histories of abuse and neglect does not make them any less wonderful. Just by the nature of having been in foster care, they have more to deal with, and for a longer period of time. These needs don't disappear at 18, and adoptive families have to accept that some milestones, such as becoming self-sufficient, might just take longer. The ability to receive a subsidy until 21 would help our families to better help their children.

For these reasons, FAPAC whole- heartedly supports expansion of adoption and guardianship subsidy to 21 and thanks Children's Law Center for the great work they

have done researching this issue. Their work has allowed us to spend our time here speaking from the personal viewpoints of our families and we are very appreciative for that division of labor! We are delighted that a change in federal legislation has opened the door to this discussion at this time.

The next issue we are here to support is non-kinship guardianship. In the District of Columbia, only “kin” or Godparents can apply to become subsidized guardians of children in the foster care system. Kin are defined as those who had a familial tie with a child before they entered the foster care system. Thus foster parents, no matter how closely connected to child and birth parent, are considered “non-kin” and cannot apply for subsidized guardianship according to DC statute. I must admit, this term “non-kin” sticks a bit in my gut. Most of us who have fostered can tell you that it does not matter one bit whether children were related to us before they were placed in our homes.....in a very short time, a child becomes related to usand we to her or him. So then the question you might ask is “why would a child and foster parent choose to move towards guardianship instead of moving towards adoption? Why is this discussion even on the table?”

So let’s look at this for a minute. Why might a child not want to be adopted? The reason is often that being adopted severs legal ties with a child’s family of origin, and for some older children this is too painful to consider. In order to not have to face the loss that this decision brings to them, some youth will choose to stay in their foster home in long-term foster care instead of being adopted. In days past, this was

considered a viable option. However, today we know that it is better for children to move out of long-term foster care and into permanency. Allowing youth and their foster parents together as a family unit to make the difficult decisions for themselves does best to honor those relationships, support children who want to keep legal ties to their birth parents, and facilitate permanency for some children who have been deprived of it due to restricted choices that feel untenable to them.

Thirdly, we want to speak to the issue of Post-Adoption verification requirements. FAPAC supports the District's right to verify that families who are receiving subsidy qualify for that subsidy on the basis of the continued care of the child for whom they are receiving subsidy. It is our understanding, for example, that if an adoption of a DC child by a MD family ends in dissolution, that DC might not be notified, and the subsidy will erroneously continue. We would completely agree that CFSA should have a mechanism for receiving such information so that the subsidy terminates. To this end, CFSA could send letters through certified mail to assure receipt, and then issue a regulation that asks for verification once a year that the child continues to be under the legal care of their adoptive family.

My family includes one legally adopted child, one informally adopted child, and two birth children. My adopted children are no less mine than are their siblings, and the fact that I did not birth them does not diminish that relationship. As a parent, I should be held responsible for the well being of ALL my children, and my parenting should be judged by society equally for each one of them. If anyone has concerns about how I

parent any of my children, the process for raising those concerns should be the exact same, whether my child is born to me or enters my family through adoption. I bring this up to explain our stand that any post-adoption monitoring beyond simple verification would be telling my adoptive son that he is not as much “mine” as my birth children are. The District’s children in adoptive homes would be stigmatized should any process be put into place that would fly in the face of adoptive families being equal to families created by birth. This would be a dangerous message to put forward to the community, as it would be saying to families that our children are not really our own. To me, and to the adoptive families we work with, that is absolutely NOT acceptable.

Before I close, I want to take this opportunity to state that if the District really wants to take action that would improve the well being of our children, it should not be based upon reactions to one, two or three horrific cases. Rather, we should focus on building a city with a safety net, a city where ALL families can get help and support for the special needs of their children, whoever those children are and whatever their issues might be. This discussion is where we should be putting our energy, our strength, and our intelligence, and begin to move forward with developing a healthy city for all District children and families.

Thank you for the opportunity of testifying today. I will be glad to answer any questions about our testimony.