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Achieving Timely Adoption

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While family reunification is the primary permanency objective for children who must be placed temporarily outside of their homes, reunification is not possible for all children. For those children who do not return to their parents and cannot find permanent homes with other family members, adoption is the favored outcome. This review examines the composite measure in the federal Child and Family Services Review that measures agency performance related to the timeliness of adoptions of foster children. It summarizes the multiple factors that research has found to be associated with increased risk for adoption delay and disruption. These include child characteristics, family of origin and adoptive family characteristics, and features of child welfare services and systems. Practices that have been broadly linked to adoption timeliness or address risk factors associated with delays in adoption are described, including social worker activities and agency or system-wide practice.

Keywords: Child welfare, adoption, outcome, policy

INTRODUCTION TO ADOPTION

The evolution of child welfare policy since the 1970s has led to the current system focus on permanency as a central outcome goal for children. While family reunification is the primary permanency objective for children who must be placed temporarily outside of their homes, reunification is not possible for all children. For those children who do not return to their parents and cannot find permanent homes with other family members, adoption is the favored outcome (Berrick, 2009; Festinger, 2008). The practice of adoption as a permanency option for foster children is described succinctly by Berrick (2009), who states, “It represents a legally binding, lifelong relationship between a child and his or her new set of parents, and it assumes an emotional tie matching that of a birth parent and child” (p. 53).

The federal policy emphasis on adoption in cases where reunification is not possible was strengthened in 1997 with the passage of the Adoption and Safe Families Act (ASFA) that sought to speed up the process by which parental rights are terminated and foster children are adopted as a way to reduce the amount of time that children spend in foster care (Festinger, 2008). To this end, ASFA codified a permanency planning practice that allows child welfare practitioners to begin planning for adoption at the same time that reunification services are being provided,

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a process known as *concurrent planning* (Berrick, 2009). The aim of concurrent planning is to ensure that the adoption process is already underway in the event that reunification efforts are not successful, thereby decreasing the length of time children wait in foster care after termination of parental rights.

Research evidence suggests that adoption is a preferable option to long term foster care for those children who cannot be reunified with their birth parents. Berrick (2009) reports that adoption is more stable and permanent than long term foster care, with adopted children experiencing fewer disruptions than children in foster care or children who are reunified with their birth families. Children adopted from foster care also have more positive outcomes than those who remain in long term foster care. In addition, adoption is preferable from a financial standpoint, with the average cost of public adoptions lower than the cost of supporting children through long term foster care (Berrick, 2009).

ADOPTION TIMELINESS COMPOSITE MEASURE

This review examines the composite measure in the federal Child and Family Services Review (CFSR) that seeks to measure agency performance related to the timeliness of adoptions of foster children. The adoption composite is the second of four measures that fall under the broad outcome goal of permanency. The adoption composite incorporates five individual indicators, which relate to three separate components as follows:

Component A: Timeliness of adoptions of children exiting foster care.

- **C2.1:** Of all children who were discharged from foster care to a finalized adoption during the 12-month target period, what percent were discharged in less than 24 months from the date of the latest removal from home?
- **C2.2:** Of all children who were discharged from foster care to a finalized adoption during the 12-month target period, what was the median length of stay in foster care in months from the date of latest removal from home to the date of discharge to adoption?

Component B: Progress toward adoption of children who have been in foster care for 17 months or longer.

- **C2.3:** Of all children in foster care on the first day of the 12-month target period who were in foster care for 17 continuous months or longer, what percent were discharged from foster care to a finalized adoption by the last day of the 12-month target period?
- **C2.4:** Of all children in foster care on the first day of the 12-month target period who were in foster care for 17 continuous months or longer, and who were not legally free for adoption prior to that day, what percent became legally free for adoption during the first six months of the 12-month target period?

Component C: Timeliness of adoptions of children who are legally free for adoption.

- **C2.5:** Of all children who became legally free for adoption during the 12 months prior to the target 12-month period, what percent were discharged from foster care to a finalized adoption in less than 12 months from the date of becoming legally free?

The three components of the adoption composite are intended to measure three dimensions of adoption timeliness (Needell, 2008). The indicators in the first component seek to measure the

adoption timeliness of those children who have reached an outcome of adoption; it therefore does not include children who exited the system to other permanency outcomes, such as reunification or kinship placement. The second component is intended to address the ASFA mandate regarding the termination of parental rights and pursuit of adoption for children who have been in foster care for a specified number of months. The indicators in this component relate to adoptions of children who have been in care for 17 months or longer, including those whose permanency goals were adoption as well as those who had other permanency goals. The single indicator in the third component seeks to measure the adoption timeliness for those children who are legally free for adoption after termination of parental rights. The individual indicators that comprise the three components of the adoption composite are given different weights in the calculation of the total scaled composite score as follows:

- C2.1 comprises 15% of the total adoption composite.
- C2.2 comprises 19% of the total adoption composite.
- C2.3 comprises 22% of the total adoption composite.
- C2.4 comprises 18% of the total adoption composite.
- C2.5 comprises 26% of the total adoption composite.

The composite has been criticized for not using a research design that follows the same group of children from entry into the system through adoption (a longitudinal entry cohort measure), however the Administration of Children and Families (ACF) has maintained that the time limitations of the CFSR process prohibit this sort of design, and that the current design and use of a composite measure that encompasses multiple indicators adequately capture performance in the domain of adoption timeliness (U.S. DHHS-ACF, 2007). Given the strong focus on adoption timeliness in federal policy that is reflected in this composite measure, in this review we explore the factors associated with delays in adoption and identify promising child welfare practices to promote adoption timeliness.

FACTORS ASSOCIATED WITH ADOPTION DELAYS

Studies have identified a range of factors that are associated with increased risk for adoption delay and adoption disruption. These include child characteristics, family of origin and adoptive family characteristics, and features of child welfare services and systems. However, researchers are still searching for the reasons or mechanisms underlying the associations between particular risk factors and delayed adoption. Despite the limitation of existing research, identifying the risk factors associated with timely adoption can help child welfare agencies focus their efforts on the most vulnerable children in the most vulnerable settings and on system issues that have been linked with poor outcomes.

Child Characteristics

Looking first at the characteristics of children in foster care, the factors of age, race, gender, and disability have all been studied in relationship to adoption timeliness. Older children experience greater delays with adoption in comparison to infants and toddlers (Avery, 1999, 2000; Avery & Butler, 2001). Children with physical and psychological disabilities, male children, and African American children have also been shown to wait significantly longer for adoptive placements (Avery, 2000; Avery & Butler, 2001). There is some evidence that sibling groups receive adoptive placements both sooner and more often than single children (Avery & Butler, 2001; Avery, Butler, Schmidt, & Holtan, 2009).

Family of Origin and Adoptive Family Characteristics

Characteristics of the family of origin that have been studied in relation to adoption timeliness include the type of abuse within the biological home, poverty, and parental rights termination. Children without a history of abuse and neglect are adopted in a more timely fashion than those with histories of abuse or neglect (Barth, Courtney, & Berry, 1994). In particular, children who have experienced sexual abuse in their family of origin are at particularly high risk for long timelines to adoption placements (McDonald, Press, Billings, & Moore, 2007). Finally, it is not surprising that children whose birth parents relinquished their parental rights were more likely to achieve a timely adoption than those whose parents did not do so (McDonald et al., 2007).

Focusing on adoptive family characteristics, the factors of race, income, and marital status have been linked to adoption timeliness. White adoptive families have been found to experience faster adoptions than nonwhite adoptive families (Barth et al., 1994), and children placed with married foster parents are more likely to experience timely adoptions than those placed with single foster parents (McDonald et al., 2007). Adoptive families generally prefer to adopt young and non-special needs children (Brooks, James, & Barth, 2002).

Child Welfare Service and System-Level Factors

Research examining system-level factors that are related to the timeliness of adoption has focused primarily on the number and type of placements a child experiences. Children who experience multiple placements in foster care also experience delays to adoption (McDonald et al., 2007). The delays may be attributable to the fact that several risk factors for multiple placement moves (e.g., disability, older age, and African American ethnicity) are shared risk factors for adoption delays. A number of studies have found that being placed in kinship care is associated with longer stays in foster care (Benedict & White, 1991; Berrick, Barth, & Needell, 1994; Courtney & Park, 1996; Smith, Rudolph, & Swords, 2002; Vogel, 1999; Wulczyn & Goerge, 1992). Further investigation into the reasons why children placed with kin remained in care longer revealed that while kinship care providers were less likely to adopt the child in their care, they often reported being willing to care for the child until they were “of age.” Since they were already family to the child, they felt that their experience was similar to adoption (Berrick et al., 1994).

Several studies have examined factors related to caseworkers, finding that negative caseworker attitudes about the adoptability of children (Avery, 2000), caseworkers without a social work degree (Albers, Reilly, & Rittner, 1993), and high caseworker turnover (Potter & Klein-Rothschild, 2002) are associated with adoption delays. Inadequate recruitment of minority adoptive families may also lead to longer timelines to adoption for minority children (Avery, 2000). Finally, a series of procedural and policy factors have been identified as promoting timely adoption, including shorter court timelines to adjudication (Potter & Klein-Rothschild, 2002), improvements in courtroom barriers to permanence (Outley, 2006), and federal financial adoption assistance (McDonald et al., 2007).

PROMISING PRACTICES FOR ACHIEVING TIMELY ADOPTIONS

As child welfare agencies implement practices to improve performance on the Adoption Timeliness Composite Measure, a common strategy is to target the risk factors that are associated with poor outcomes (Osterling, D’Andrade, & Hines, 2009). By addressing risk factors, such as negative caseworker attitudes or inadequate recruitment of minority adoptive parents, it may be possible to improve performance on the measure. The practices identified in this review of the research literature and online sources are aimed at addressing one or several of the risk factors associated with delays in adoption. However, given the limited research evaluating practices related to

adoption timeliness, the evidence does not conclusively identify one particular strategy or set of strategies to address this outcome. The absence of rigorous research evidence does not necessarily mean that a particular approach does not have an impact on adoption timeliness, but rather that potential impact cannot be conclusively determined.

In an effort to include a range of possible strategies to address adoption timeliness, practices that have been broadly linked to adoption timeliness or address risk factors associated with delays in adoption are described, including: (1) social worker/case worker activities; and (2) agency or system wide practice. For more detailed discussion of the practices described in this section, refer to the following resources:

- Hatton, H. and Brooks, S. (2009). *Achieving permanency for children: Timely adoption practices in child welfare*. UC Davis Human Services Northern California Training Academy.
- University of Kansas (2003) training modules at <http://www.rom.ku.edu>.

Social Worker/Caseworker Activities

Each activity discussed in this section addresses a specific contributing factor related to adoption delays. These are activities that can be relatively easily incorporated into practice without the need for a manual or specific training guide.

Immediate filing of adoption paperwork upon termination of parental rights. There is promising evidence from Festinger and Pratt (2002) indicating that filing adoption petitions immediately upon termination of parental rights keeps the case on the court calendar, improves rates of adoption, and significantly shortens adoption timelines.

Addressing transracial adoption concerns for potential families. The Multiethnic Placement Act and the Interethnic Adoption Provision (MEPA-IEP) prohibited child welfare agencies from using race as a factor to limit adoption placements. Moreover, it has been suggested that a percentage of potential adoptive parents are open to transracial adoptions (Brooks et al., 2002). As a result, addressing concerns and providing information about the experience to potential adoptive parents who are considering the adoption of a child of another race may increase the rate of adoptions for these children.

Providing pre- and post-adoptive placement services (University of Kansas, 2003). For children with mental health and physical disabilities who are at risk for adoption delays, fear of inadequate support may deter potential adoptive parents (Voice for Adoption, 2009). Providing parents with pre-adoptive services to ensure realistic expectations, along with training on how to meet the special needs of an adoptive child, may increase successful adoptions (Avery, 2000). In addition to pre-adoptive services, post-adoption services assist in providing continued support for the child, as well as the family, making adoptions more appealing and possible for families. According to a report from Voice for Adoption (2009), potential adoptive families and adoptive families report that there are not enough community supports to meet the needs of their families. Some examples of important supports include “support groups, crisis intervention, family counseling, and respite care” (Voice for Adoption, 2009). In particular, post-adoptive services for families that adopt special needs children have been identified as a key to achieving stability in these placements (Avery, 2000).

Addressing social worker concerns and attitudes. Negative attitudes about the “adoptability” of a child can impact adoption timeliness because these attitudes may diminish adoptive

placement recruiting efforts (Avery, 2000). Therefore, it is important for caseworkers and their supervisors to monitor, assess, and address personal biases and feelings about the children on their caseloads. Strategies to help workers identify and address negative beliefs about adoptability include: seeking supervision, case consultations with coworkers, and professional training regarding the process of dealing with negative perceptions. Starting with each individual caseworker and moving up to supervisors and administrators, an overall agency culture that supports positive attitudes about the adoptability of every child may be critical to improving adoption rates and timeliness (Avery, 2000).

Agency/System-Level Activities

This section first describes the practice of concurrent planning, which seeks to achieve permanency through either adoption or reunification. Secondly, it focuses on agency- or system-level factors associated with adoption delays or timeliness that include court delays, recruitment and assistance for adoptive families, and training and supervision for staff. While some of these activities can be easily implemented by local agencies, others require more complex policy reforms.

Concurrent planning. Concurrent planning is designed to expedite permanency planning for children in foster care by requiring social workers to pursue reunification with the biological family and adoptive home placements concurrently (Frame, Berrick & Coakley, 2006). In California, concurrent planning is legally mandated and incorporates the following key components (taken from Frame, Berrick & Coakley, 2006, p. 357):

- Early assessment of a family's prognosis for reunification.
- Development of simultaneous plans for a child so that if reunification fails, an alternative permanent placement is available.
- Placement in a concurrent planning home with caregivers willing to adopt if reunification with birth parents fails.
- Full disclosure to birth parents regarding the concurrent plan.
- Frequent parental visiting.
- Focus on timely permanency as the goal—with reunification as the first but not the only option.

In addition, Katz (1999, pp. 82–84) identifies a series of common missteps to avoid when implementing concurrent planning:

- Equating concurrent planning to adoption, which may result in limited reunification efforts.
- Removing cultural accommodations for families.
- Assuming any assessment tool will completely predict outcome.
- Favoring one outcome over another.
- Defining staff as enforcers.
- Using case plans that are not family centered.
- Using 12 months as an absolute time limit for the family to reunify.
- Excluding community providers from the case plan, especially in the beginning.
- Providing inadequate legal, training, or supervisory support to staff.
- Telling foster-adopt families there is a quantifiable, legal risk.
- Providing inadequate training or support for foster parents.

Despite the concurrent planning mandate in California, there is evidence that the implementation of concurrent planning has been incomplete. In some instances, concurrent planning has been

delayed as much as 6 months after the child entered care, case plans have described sequential activities rather than concurrent activities as well as concurrent placements (fost-adopt homes) that are an essential component of concurrent planning have been rare (D'Andrade, Frame & Berrick, 2006).

Effectiveness. Katz (1999) states that concurrent planning has the potential to shorten the length of time in care, but warns agencies against setting expectations too high for the efficacy of concurrent planning in improving adoption timeliness. Due to the inconsistent and incomplete implementation of concurrent planning, it is unclear what effect it might have on adoption timeliness if the practice were fully implemented.

Implementation. Researchers have suggested several ways to improve upon the implementation of concurrent planning in several California counties (Frame et al., 2006). Social workers report that concurrent planning is psychologically complicated, challenging, and distinctly different from other child welfare practices because of the dual role they are expected to play in planning for both reunification and adoption. Decreasing caseloads as well as increasing supervision and consultation opportunities may assist social workers to implement concurrent planning more effectively. Providing staff with sufficient resources to reunify families, while simultaneously providing adequate recruitment and training for fost-adopt families, are important agency-level strategies to enable social workers to implement concurrent planning (Frame et al., 2006).

Working with courts to shorten timelines. The specific, caseworker level action of filing adoption petitions immediately following parental rights termination could be better supported by agency and county level efforts to collaborate with courts on multiple strategies to shorten timelines for adoptions. Specifically, because research has shown that keeping children on the court calendar and with the same judge may contribute to the expedited timelines that occur when adoption petitions are filed immediately (Festinger & Pratt, 2002), finding other ways to keep children on the court calendar and with the same judge may expedite timelines.

Caseload reductions for court personnel may also improve timelines to reunification and guardianship. For example, the Judicial Council of California (2008) recommends a maximum attorney caseload of 188, with a .50 FTE investigator/social worker, for attorneys representing children and families in the courts. Funding constraints, however, have limited the implementation of this caseload cap (Judicial Council of California, 2008).

Improve recruitment and support of diverse adoptive families. The MEPA-IEP, in addition to forbidding child welfare agencies from using race as a factor in adoption placements, required states to make efforts to recruit adoptive families that are ethnically and racially representative of the children in foster care (McRoy, Mica, Freundlich, & Kroll, 2007). Improved recruitment may be achieved through collaboration with community groups and adoption agencies to facilitate adoptions for children with risk factors for long timelines (University of Kansas, 2003). In some studies researchers have indicated that seeking help from specialized agencies early in the placement process may improve adoption timeliness for African American children (Avery, 2000). Similarly, agencies specializing in adoptions for minority children have been successful in recruiting African American families (McRoy, Ogelsby & Grape, 1997). Building community–foster care partnerships with agencies that specialize in minority adoptions may also increase adoptions for minority children (McRoy et al., 2007).

The Urban Institute Child Welfare Program (2005) has recommended several recruitment strategies for potential adoptive families of all kinds. Some of the recommendations include: (1) shifting recruitment messaging from promoting awareness about the availability of children to specifying how families can adopt, (2) channeling the interest of potential adoptive families toward foster

care adoption, (3) using targeted recruitment to focus on groups that were found to be interested in adopting, particularly 30- to 34-year-olds, Black and Hispanic women, unmarried women, and lower-income women, and (4) developing a consumer-friendly foster care adoption process. Other recommendations for recruitment strategies include connecting and recruiting within faith-based communities, targeting recruitment to Latino and African American communities by advertising on culturally specific radio and TV stations, providing information in appropriate languages, and utilizing Latino and African American recruiters (Riggs, 2005; Urban Institute Child Welfare Program, 2005).

The national listing of photos has also been suggested to facilitate adoptions for children at risk for delays. For example, AdoptUsKids.org is a national, searchable listing of photos of prospective adoptive foster children and families in the United States. In a recent study of AdoptUsKids researchers found that it is underutilized by states and that 40% of listed children were adopted over the 3.5 year study period (Avery et al. 2009).

Finally, in one study researchers found that children who were eligible for federal adoption assistance were more likely to achieve adoptive placements and finalizations (McDonald et al., 2007). Increasing the availability of these financial subsidies may increase adoption timeliness by making adoptions more affordable for potential families.

Provide adequate training and supervision for staff. Because caseworker attitudes and level of training affect timelines for adoption, it is important for agency administrators and supervisors to provide adequate training and supervision opportunities to assist staff in accomplishing their jobs effectively (University of Kansas, 2003). In addition, hiring master-level trained social workers and reducing caseworker turnover may improve adoption timeliness for children in foster care. Factors associated with high caseworker turnover include lack of supervisory support, low salary, high caseloads, administrative burdens, and low levels of training (General Accounting Office, 2003 as cited in Ryan, Garnier, Zyphur & Zhai, 2006). Providing ongoing training, competitive salaries, and supervisory support, including monitoring of caseloads and administrative tasks, may increase caseworker job satisfaction and decrease turnover.

Finally, caseworkers who have been successful in finalizing challenging adoptions are a valuable resource for agencies. These workers should be identified and tapped as resources for the agency (University of Kansas, 2003). Due to the limited information we currently have on practices that effectively reduce adoption timelines, it is important to utilize experienced and successful caseworkers as a source of expert knowledge.

CONCLUSION

This review has examined issues related to achieving adoption timeliness for children in foster care. The CFSR measures for adoption timeliness were discussed, followed by a review of the research literature on factors associated with adoption delays and an overview of promising practices being utilized by child welfare agencies to improve performance in this area. Considering strategies to translate this research into child welfare practice, it is important to recognize that the evidence is limited, and in some instances contradictory. The increasingly limited resources of child welfare agencies compound the challenges involved in identifying and implementing concrete actions to improve adoption outcomes. As a first step however, the following questions are offered to open a dialogue among practitioners on utilizing the research presented in this review:

- Since negative caseworker attitudes on adoptability of children are associated with adoption delay, how are caseworker attitudes being identified and addressed?
- How can recruitment efforts expand recruitment of minority adoptive parents?

- Can current resources be extended to enhance pre- and post-adoptive services in order to improve and support the adoption process?
- Is concurrent planning being initiated immediately upon entry into foster care? Are there ways that concurrent planning can be improved to promote adoption timeliness for children who are not reunified?
- Are there collaborative steps that can be taken with the courts to streamline legal processes related to adoptions?

While further research is clearly needed to chart a future course of action, discussion and dialogue are necessary to create a climate in which practitioners can explore new ways of achieving optimal outcomes for the families they serve.

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