



Foster Parent and Caregiver Engagement in the Court Process

A report prepared for the Foster Care Court Improvement
Program by

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Study Background and Purpose

- Foster parent and caregivers engagement is required by state law (Court and Judicial Proceedings, 3-816.3 and Family Law 5-326(a)(4)).
- The FCCIP did not observe foster parents and caregivers participating in the court process.
- What factors impede and facilitate foster parent engagement with the court process?

Study Methods

- Six Focus Groups Statewide
- Recruited through local DHR offices, foster parent groups, and snowball sampling

Location	Number of Participants
Baltimore City	2
Baltimore City	1
Montgomery County	11
Queen Anne's County	5
Allegany County	22
Baltimore County	16
Statewide Total	57

Who Participated?

- Twelve men and 45 women
- 11 Black or African American and 46 White or Caucasian
- 42 shared caregiving responsibility with another person, most notably their spouse; 15 were sole caregivers
- Length of time as foster parents: 1-29 years.
- Age of foster children: from infancy to age 20.
- Number of children: 1-6 children, with a mean of two children
- 11 were adoptive parents of at least one of their once foster children.

* All information is based on self-report

STUDY FINDINGS

Overarching Influences

- Focus on judiciary as well as caseworkers and lawyers, insofar as their role is relevant to foster parent engagement with the courts
- Trauma, anxiety, and stress that arise from
 - Nature of the cases
 - Experiences of the participants

Importance of Engaging with the Court

- Foster parents *want* to be in and engage with the court
 - Be kept abreast of their foster children’s cases
 - Support the children before, during, and after court
 - Convey information to judges and masters firsthand
 - “You would think our word would be the one that they absolutely want to hear...because that's the ones that isn't heard second hand, third hand, fourth hand. It's coming straight from the horse’s mouth.”
(Baltimore County)

Communication to Foster Parents

- Notification: How, When, and By Whom?
 - Great variability
 - Consistency
 - Clarity
 - Dissuasion, discouragement, or consideration?
- Foster Parent Strategies

“After I insisted I was starting to get letters but I will get a phone call saying, ‘I sent you a letter but you don’t have to come you shouldn’t come - you probably wouldn’t be able to come in.’” (Montgomery County)

Communicating to the Bench

- Provide comprehensive, correct information
 - Health and behavioral health issues
 - Interactions between children and biological parents
 - Struggles faced by foster children
- Ensure appropriate services

“Well [I was] scared in the beginning, but afterwards it felt pretty good to be able to... tell the judge, you know if a lot of this stuff could be stopped it would be better in their house. Because you know, if it didn't get taken care of it wouldn't have gotten no better.” (Queen Anne’s County)

“It's a shame that we can't offer some type of transcript, or some type of document that the judge sees, or the magistrate sees, because often times I've been asked to write one for the social worker, but that can be cut through or whatever. It's a shame that our word doesn't go like [inaudible 00:55:56], like all of those other ones involved, that it doesn't go right to the magistrate because often times we can be the ones supervising visits. We are the ones first hand dealing with the parents. We are the first ones dealing with the night traumas, the terrors, the doctors appointments, the visits, the whole nine yards. We are there for therapy. We are there for ... we're the ones that are dealing 100% with this child, and often times for a very long period of time, so why isn't our word being heard? Why isn't it being able to be heard by the magistrate?” (Baltimore County)

The Court Environment

The courthouse environment contributes to foster parents' ability to engage with the court

- Wait times
- Waiting areas
 - Lack of child-friendly spaces
 - Contentious, unsupervised, or inappropriate settings
 - Confusion and stress

I was scared going into court. It was just scary for me. I didn't think I should be afraid, but I was very nervous going in. Then, when you're bringing a child, or an infant ... I had an infant at the time I had to take, and I was told to keep them quiet, don't be making noise or they'll throw you out. It was very scary, and when you're waiting it's very random. You aren't put first or ahead of anything. You also are interacting. You're doing a visit with the parents, and you're supervising the visit, because usually your worker is in the court room with another case, so there is a lot of variable. They're angry, and they're interacting with their lawyers, so it was a lot of anxiety I think going on at the time. You really don't have a say, so you're kind of just there. (Baltimore County)

Courtroom Settings

- Lack of attention to trauma, anxiety, and stress
 - Difficult cases
 - Involving children
- Is the environment welcoming or hostile?
 - For children
 - For foster parents
 - For other stakeholders

“He's had to see [my foster children] for their year and he's come off the stand and came down and sat beside them and talked to them and asked them how school was. He's been really nice with them.” (Allegany County)

Our worker and our lawyer are great, but they have so many kids. They'll be saying something that must apply to somebody else's kids, because it's not us. Then the judge is making ... and I'm not allowed to stand up and say, "excuse me. That's not right. He does have ADHD." It's just- it's very frustrating. I think I've heard it said a bunch of times. We go because we want to know what's happening, not because we have any input into it whatsoever, which is to me the most frustrating piece because we're the ones that know these kids inside and out...and we're the only ones that can't give input into it.” (Baltimore County)

Recommendations

- Overarching recommendations:
 - Attend to multiple influences on court engagement: judges, magistrates, lawyers, caseworkers, physical settings, backdrop of trauma and anxiety
 - Involve foster parents in ongoing dialogue and assessment

More Specifically

- Improved communication
 - Courts provide direct notification to foster parents
 - Ensure accuracy and timeliness of content and message
- Updated training for foster parents and professionals (lawyers, caseworkers, the judiciary) on foster parents' rights and appropriate roles within the court setting

Court Environment

- Reduce wait times through block scheduling or time-specific calendaring
- Child-friendly waiting spaces
- Separate waiting spaces for foster parents and children
- Presence of court staff in waiting areas
- On-call security escorts

The Courtroom

- Improved identification and resolution of logistical concerns
 - Solicit suggested improvements
 - Annual assessment by court staff from foster parent perspective
- Accommodations
 - “Built-in” accommodations for the presence of all-aged children
 - Special requests as needed

Training and feedback for the judiciary

- Trauma-informed practice
 - Sensitize the judiciary regarding practices that mitigate or exacerbate trauma and trauma responses
 - Provide knowledge about how trauma may manifest in the behaviors and actions of stakeholders
 - Identify how the bench can minimize or intervene in problematic interactions within their courtroom
 - Provide the bench with appropriate resources should they seek advice or guidance.
- Coaching on skills and practices for handling cases that are by definition complex, emotional, and involve children

Foster Parent Advisory Board

- Alert courts to problems that arise or remain unaddressed
- Allow for foster parents to report to an independent body
- Identify more systemic problems, as complaints and concerns can be reviewed in the aggregate for patterns and prevalence
- A sounding board for the judiciary
- Collaborate with DHR Foster Parent Ombudsman

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