California's foster children and family values

Robert C. Fellmeth, Fellmeth is Price Professor of Public Interest Law at the University of San Diego and director of Children's Advocacy Institute.

California has $7.5 billion in general fund monies not expected when next year's budget was proposed in January. How much will be invested in the children who are the direct responsibility of the state: the 85,000 children who have been abused and removed from their homes for their own protection? For these kids, the juvenile court supplants parental authority -- you and I are essentially their moms and dads.

Why is new investment and legislation needed? Because current state performance in parenting these children is inconsistent with the stated "family values" ethic of the Republican Party and contradicts the "helping hand" philosophy of the Democrats.

The Children's Advocacy Institute helps to represent these children in San Diego juvenile court, and before the Legislature and Department of Social Services. We see their fate firsthand and know why now-pending reforms are needed.

Few over the age of one are adopted by non-relatives. Such adoptions, when they occur, almost always come from "family foster-care" providers -- real homes where they are placed after removal. But these licensed providers have not increased markedly in number -- unlike prior generations, both spouses must now work to pay real estate costs.

Those who take in these children now are paid about $450 per month per child -- a fraction of the cost of raising a child and the supply of parents has dwindled in relation to demand. Placement choices are limited. Siblings are separated and adoptions are sparse in relation to need. Compensation to foster parents has been frozen since 2001 -- working an almost 20 percent reduction in spending power. The more institutional group homes with a Sacramento lobbying presence are paid $4,000 to $5,000 per child per month.

These kids are often shifted from place to place -- on average more than three times after their removal. We have one client who has been moved 27 times. The caseload of the attorneys in San Diego who represent them is over 350. The kids become slips of paper crossing the desks of changing officials -- most well-intentioned, but organized for administrative efficiency, not personal contact essential to child development.

Most of those who turn 18 years old while cared for by the state are then unceremoniously dumped onto the streets as available assistance dries up. A recent survey found that youth in general do not achieve self-sufficiency until they are 27 and that parents spend substantial monies (averaging $45,000 per child after age 18).
California has trumpeted concern and enacted legislation for the acronym-laden programs one would expect -- "STEP" and "THPP" are the major ones -- to provide some housing and transition help so maybe they can learn a trade. But then the Legislature limited the funding and even demanded that counties, which have no money and little taxing authority, pony up 60 percent to 75 percent of its cost. So it is largely moribund.

These are some of the foster-care problems facing our Legislature. These youth end up disproportionately homeless, impoverished, pregnant, unemployed and in prison. It is not genetic. It is the predictable result of current hypocrisy and contempt in family values performance.

To its credit, the Legislature has responded to some extent. A special committee focusing on it is chaired by Assemblywoman Karen Bass, D-Los Angeles, and she is working hard.

Members of her select committee (and other interested legislators) have introduced bills that could make a difference. Among them are Bass' AB 2216 to reorganize foster care and AB 2193 to specify social worker caseloads. AB 2481, by Noreen Evans, D-Santa Rosa, would increase family foster-care compensation so there is more supply, more choice for children, and more adoptions.

These and five other bills have largely passed out of committee in solid form. They now rest peacefully in what is termed the "Suspense File" of the Appropriations Committees of the two houses. But here lies the rub. This is the traditional legislative graveyard for often meritorious bills with fiscal implications. Unless affirmatively brought up for vote by the committee chair -- each of these measures dies without vote. Nobody votes no publicly. Convenient for the "photo op" family values folk.

The special obligation we have to these children means that these important proposals warrant approval. We face yet another year of loud declarations of support for abused children, of pledges to family values, of pronouncements -- but the performance at its current stage is far short of the typical California parent.

If one wants to recount what it means to ponder family values, think of what your parents spent on you, all the food, the help, the time, the attention, the support.

Why do we not commit not 1 percent of the new money to add to the governor's budget, but 4 percent? That is a modest percentage and would likely do the job -- more choices of family placements, more adoptions, a real chance at higher education and a job.

I suspect that when a California parent obtains additional income, the children of the family in special need will be allocated more than 1 percent of it. It is time to watch how those who will determine the care of these children manifest our family values.