



Timing of Permanency Exits from Out-of-Home Care: The Importance of Systems and Implications for Assessing Accountability for Permanency Outcomes

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Background

Along with preventing child maltreatment, achieving legal permanency for children placed in out-of-home care due to abuse, neglect, or dependency is one of the primary goals of the public child welfare system. Although it is not always appropriate or feasible, it has long been the case that over half of children entering out-of-home care in the U.S. will return home. For those children unable to return home, child welfare agencies generally seek legal permanency through adoption or guardianship and about one-quarter of children exiting care in recent years have experienced one of those outcomes (US Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth, and Families, Children's Bureau, 2010). However, observers have long noted significant between- and within-state differences in the likelihood that children entering care will experience legal permanency and how long it takes for them to do so.

Better understanding of the reasons for these differences between geographic jurisdictions in outcomes is important for improving outcomes generally and for improving efforts to hold child welfare agencies accountable for outcomes. For example, on the one hand, if observed differences in outcomes are due entirely to differences in the characteristics of the populations served, in other words, if some jurisdictions more than others serve populations for which permanency is more difficult to achieve, then accountability mechanisms should take that into account. Indeed, some observers have criticized the National Performance Standards under the federal Child and Family Services Review (CFSR) for failing to account for potential between-state differences in populations served. On the other hand, if differences in outcomes between jurisdictions cannot be explained by population characteristics, then it behooves program managers and policymakers to

better understand the characteristics of child welfare and related systems that contribute to these differences in order to seek improvements in outcomes.

In this report we examine how involvement in the dependency court process is associated with the timing of permanency outcomes in Washington. We find that dependency court involvement varies considerably across the state; that is, there is variation by region in how many children placed out-of-home are also involved with the court. Differences between regions in the likelihood and timing of dependency court involvement are partially due to differences in the availability of services to troubled youth (i.e., some regions bring more troubled youth into care for short periods of time than others) and partially due to local variation in decision-making. Court involvement is important because once children become court-involved DSHS/CA cannot readily reunify children without a court order. Furthermore, non-court involved children are more likely to reunify and reunify much more quickly than court-involved children. Thus, variation by region in the mix of children who are court-involved versus non-court involved influence regional performance in achieving permanency for children. We also identify between-region variation that persists even after statistically controlling for court processes and characteristics of the child population.

We believe that these findings call for a more holistic approach to holding DSHS/CA regions and offices accountable for achieving permanency outcomes and that the role of all players in the juvenile court process must be considered when assessing institutional accountability for providing children legal permanency.

Findings

Following children entering out-of-home care for the first time between 2001 and 2007, we find great variation between DSHS/CA regions in the timing of permanency outcomes. For example, while the median reunification rate for the state as a whole, that is, the time it takes for half of all children entering care to return home, is 175 days, the regional medians range from a low of 83 days in Region 5 to a high of 581 days in Region 3. Our analyses also showed significant differences in reunification rates between counties within a given region, suggesting that institutional factors at the sub-regional level might influence reunification rates.

In statistical models, which account for many of children's background and placement characteristics, we find that the filing of dependency petitions in the juvenile court is associated with the timing of children's exits to legal permanency. All else being equal, the rate of reunification is reduced by over two-thirds after a dependency petition is filed whereas the rates of adoption and guardianship are more than doubled. Moreover, regional differences in the timing of reunification are strongly influenced by the likelihood and timing of the filing of dependency petitions. We identify three interrelated explanations for the relationship between the timing of the filing of dependency petitions and regional differences in permanency rates. First, we find that cases subject to a dependency filing experience strikingly different outcomes than those not subject to a filing, suggesting that where dependency petitions are very likely to be filed early might expect to see a relatively slow rate of family reunification compared to places where that is not the case. Second, regions vary considerably in the likelihood that children entering care will experience an early petition filing. Third, there are significant differences between the children who experience early dependency and those who do not. Taken together, these differences suggest that adolescents with behavior problems are disproportionately represented among the group of children for whom there is no involvement of the dependency court system.

We also find that regional variation in reaching permanency outcomes looks very different when cases without an initial dependency filing are distinguished from cases where legal dependency is established early; the regions associated with faster permanency for non-dependency cases are not always the same regions associated with faster transitions for dependency cases. In summary, our findings suggest that 1) the mix of dependency and non-dependency cases arguably contributes to regional variation in permanency rates and 2) it is likely that regional variation in how the child welfare system manages these distinct types of cases also matters.

Discussion

Washington exhibits considerable regional variation in the timing of foster children's exits to legal permanency from out-of-home care. Some of this variation appears to be a result of the fact that some areas of the state more than others place into the care of the child welfare system older children and youth whose primary reason for placement is problem behavior. Our conversations with child welfare program managers lead us to believe that regions vary in the likelihood that they will take these children into care largely as a result of differences in the availability of services to meet the needs of families with troubled youth, particularly Crisis Residential Centers. Regardless of the reasons, the likelihood that a child welfare system will open its doors to youth whose primary need for care is problem behavior strongly influences the likelihood that the cases it opens for services will end up with a dependency order, and with the speed at which children entering care will achieve permanency. Thus, comparing regional performance in achieving permanency outcomes without explicitly taking into account the degree to which each region operates a child welfare system for troubled youth will lead to faulty conclusions.

Similarly, failure to take into account the ways that the juvenile courts influence the timing of exits from out-of-home care can also lead to faulty assessments of the performance of child welfare systems in achieving legal permanency for children. Strategies for improving permanency outcomes and the performance of public systems in achieving those outcomes should explicitly include the juvenile courts. POC is currently involved in demonstration projects that bring the juvenile courts and DSHS/CA together to expedite the permanency planning process.

Acknowledging that differences in the populations served and in the functioning of the dependency process play a role in the timing of children's permanency outcomes does not mean that DSHS/CA regions and offices should be left off the hook. Our findings clearly show that regional differences remain in the rate at which children experience permanency even after controlling for important measures of case mix and for the timing of dependency petitions. Explaining these differences could identify potential strategies for improving practice in ways that lead to more timely permanency for children in DSHS/CA care. POC is engaged in analyses of the relationships between organizational factors and permanency outcomes for children in DSHS/CA care and we expect the insights gained from those analyses to lead to further opportunities to improve child welfare policy and practice in Washington.