

Thank you madam chair and members of the committee!

My name is Lilly Roberts and I am 20 years old! I live in Highlands Ranch Colorado!

I'm in favor of the house bill 23-1024

Because I have been in the position before and I have experience in foster care! I

know It is very hard to adapt to that situation, especially getting used to the unfamiliar people you are now living with!

It helps if you already know the people you are placed with and you can trust they will

take care of you and they will not take advantage of you! If I was placed with

someone I did not know I would be

uncomfortable! I would not feel very safe

living with them because I don't know if they

are dangerous! I feel most comfortable with the support of my family and urge you to protect Colorado youth by supporting this bill!

Thank you.

My concerns with HB23 - 1024 is that it wishes to eliminate the best interest of the child by removing that wording, limiting intervention from foster parents and non-relative kin, making assumptions of where the best placement for a child is, and preventing a judge from considering "ordinary bonding or attachment."

We all want the same thing in the end; safe and loved children with healthy connections and attachments. The best way to achieve that and support children is as a team. The child's team including the foster parents and kinship connections, should work together with the biological parents and their team to provide the best outcome for the child. Limiting the players on the team is detrimental to everyone, as each member brings something different to the table.

Foster parents support reunification when appropriate and only want to be able to advocate for the children they have come to know so well as they care for them 24 hours a day 7 days a week. Foster parents can bring needed information and different perspectives to the judge.

Foster parents have only one, or maybe a couple of cases, to focus on instead of the many cases lawyers and caseworkers are shuffling. The foster parent wants to assure that the child and biological parents or kinship are set up for success upon reunification. Foster parents and non-relative kin should not have to wait until 12 months to intervene. Judges make better decisions when they have all the information from all parties involved in a case.

The best interest of a child should always be considered. Many times kin are made to feel like they "have to" take a placement, they are the only option, and the child will suffer if they aren't placed with kin. I had a case in which a grandmother was going to take a child because she thought it was the only option. She was so relieved when she was able to talk with and get to know me and she realized the baby was safe and loved with me and she didn't have to over extend herself and her resources by taking in another one of her grandchildren. She felt she didn't have the resources for another child but also didn't want the grandchild to be lost to her. The kin are not made aware that there are foster parents that will gladly care for and love a child while also supporting family connections and reunification. I have had 5 foster placements in my home and I still continue to speak to and support 4 of those children and families after permanency has been established outside of my home. I am one more supportive loving person in their lives. More support and love means more successful permanent placements. It is known that a child being removed from their parent causes trauma, and trauma can have lasting effects throughout the life of the child. A child placed in care in infancy or very young loses his/her family. They go to kinship or a foster family and create new attachments and begin to heal from their loss. After extended periods of time with the new placement, removal will result in another traumatic experience for that child and the feeling that they once again lost their family. Losing a parent is in the top 10 list of adverse childhood experiences (ACEs) listed by the Resilient Child Fund. ([Top 10 ACEs – Resilient Child Fund](#)) According to the CDC, "Toxic stress from ACEs can change brain development and affect how the body responds to stress. ACEs are linked to chronic health problems, mental illness, and substance misuse in adulthood." ([Adverse Childhood Experiences \(ACEs\) | VitalSigns | CDC](#)) By not considering attachment and bonding in young children and not placing them in permanent homes within 12 months after a case opens, we are creating more trauma for them that has lasting effects. Each case is unique and each child should be treated as an individual.

Thank you for the opportunity to submit written testimony in regards to House Bill 23-1024, *A Bill for an Act Concerning Measures to Increase Family Resiliency Through Providing Greater Supports and Protections for Children Placed with Kin, Including Relatives*. My name is Rebecca Cales. I am, and have been, a certified foster parent in Denver since 2018 – first through Denver County, and currently through a Child Placement Agency (CPA). I am a registered voter in CO Senate District 33 / House District 8.

I applaud the efforts of the legislature to enact measures to protect vulnerable children and youth, and to strengthen families. I believe we can all agree that maintaining familial or kin bonds, where appropriate, is important to reducing trauma and increasing resiliency in affected children and youth. However, I believe that this legislation misses the mark for both of these and will result in unintended consequences for the very children and youth that it is meant to protect:

- 1) It creates an unfunded mandate to prioritize relative or kinship placement, but provides no funding mechanism to support these families.
- 2) It significantly restricts the ability of foster parents to intervene in a child welfare case – limiting the information that the court can consider in determining the best interest of the child, and limiting the ability for the foster family to access critical information that may be needed to help the child or youth.
- 3) Ultimately, the bill has built-in mechanisms that are likely to result in compounded trauma for the children and youth it's intended to protect.

First, this legislation prioritizes placement with family or kin, but provides no financial mechanism to ensure that these uncertified resource families are able to handle the added financial strain that comes with these children and youth – which may be incredibly costly, not just for child care and food, clothing, etc., but may also require the ability to transport children and youth to and from school, and/or medical, mental health, or other therapeutic appointments, potentially also resulting in lost wages. When family members or kin are unable to absorb these financial requirements, the result is a disrupted placement, which furthers child and youth trauma.

I speak from experience. I am currently fostering an amazing and resilient 4-year-old. This child came to me in late September last year, after bouncing around various family/kinship homes for over a year – I was the child's 4th foster home. Within the first few months of placement with extended family, I was contacted (Oct 2021) about taking placement of the child because the extended family was unable to handle the financial burden. I agreed and the County started making plans to transition the child. Within a couple of days, the family withdrew their request and said they were keeping the child. This same scenario was repeated approximately 30 days later. Ultimately this family member kept the child until Summer 2022, at which point they requested that the child be rehomed. The child was transferred to another family member for a short time, before being transferred out yet again to a kin home. This lasted about 2 months, when the kin provider also requested that the child be removed because they were not able to adequately meet the child's needs. Now I have care of an amazing, spunky, bright, and loving 4-year-old with significantly compounded trauma who is constantly on edge and terrified that they will be sent away – again. This all could have been avoided if relative and kin providers were provided with the same financial, support, and training resources that foster families are given – whether those relative and kin providers are certified or not.

This legislation aims high, but falls short in creating an unfunded and unclear mandate in this regard.

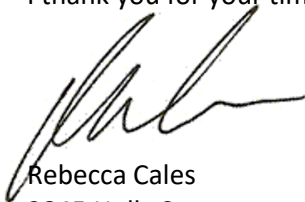
Additionally, the restriction requiring foster families to wait 12 months to intervene in a case is equally troubling, for multiple reasons:

- 1) For children under the age of 6 there is a requirement that the child be in a permanent home within (not after) 12 months. This restriction will prohibit a foster family from participating in any “permanent home” discussions. Additionally, many children and youth, such as the one currently in my care, may be shuffled from home to home within the first months or even year of an open case, further restricting the ability of foster families to participate in permanency discussions – even if a case has been open for several months or years. This can result in unnecessary delays in permanency or stability (and ongoing trauma) for affected children or youth.
- 2) It has been shown that judges make the best decisions regarding the welfare of children and youth when they are provided the most information possible. This includes critical information from foster parents about the child’s behaviors, attachments, and needs – during out of home placement, transition home, etc. Intervention is the only avenue that foster parents have to introduce this evidence to the court. Current statute allows for intervention after 3 months. This is appropriate and should remain.
- 3) Although we’d like to believe that all case teams treat foster families with respect and honesty, that’s not always the case. Intervention is the one avenue we have to ensure that we are getting accurate information about the child(ren)/youth in our care and their ongoing cases. It’s also the only way we can ensure that the court hears accurate and current information about the child(ren)’s/youth’s needs – while these children/youth are in our care, we are the expert on those children/youth and their behavior and needs.

Although this bill has some great intent, I urge you to amend the affected sections:

- Fund the bill to provide financial support to relative and kinship providers on par with that offered to foster parents, as well as meaningful training and other resource support.
- Remove the proposed restriction on foster parent intervention and maintain the current 3-month regulation.

I thank you for your time reviewing my testimony and considering these important issues.



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Good Afternoon Madame Chairwoman and Committee Members,

Thank you for allowing me to testify today. I am testifying in in opposition to HR23-1024.

My husband and I live in Centennial and fostered for several years; providing respite, aiding in a reunification case and eventually adopting. In 2019, I left my career in education to begin working at a Child Placement Agency. I felt a calling to help other foster parents through the confusing, difficult and beautiful journey of fostering. Currently, I work as a placement supervisor; licensing new families, supporting foster parents through the confusion of DHS jargon and court acronyms, and guiding families through healthy reunifications and occasional adoptions.

During our time fostering, we intervened in a case in order for the judge to have a more complete picture. In JV court cases, representation is provided to the child, the county as well as to the parents of the children in care. My husband and I attended court together without representation several times and felt bullied by respondent parent counsel. Baseless claims such as 'the children don't like their foster parents' or 'the foster parents don't like to be inconvenience by visits' were presented to the judge. It was intimidating to attend court and it consistently felt that we were the 'bad guys'. This added to the stress of juggling full time jobs, commuting an hour twice weekly to and from visits and providing care to twin medically fragile babies (that slept very rarely). When we intervened, it felt that we had a voice in court. We were able to make our feelings of reunification known and bridge connections to better help the children as they transitioned home.

I've been lucky to have met some of the most amazing, selfless and loving people through my experiences with foster care. Foster parents complete extensive training, go through an intrusive home study interview process, are required to be certified in CPR and First Aid, pass numerous background checks and provide documentation on everything from family budgeting to pet records. The process to become licensed is extensive and time consuming - as it should be. We are entrusting foster parents to care for the most vulnerable and traumatized children and help them thrive. Foster parents are to provide a safe and supportive home, unconditionally. This is a lot to ask of individuals who won't have a voice in the arena where the decisions are being made.

Please imagine signing up to be a foster parent. Your goal is to protect children and provide a loving home until permanency is determined. You know a child's needs, talents, dreams and triggers and have loved them through boo-boo's, tantrums, home-runs and escalated behaviors. You've opened lines of communication to the child's family and are working with a team to be a support in the reunification process. In return, you are faced with contentious court cases where you aren't allowed to have a voice. If faced with this, would you continue fostering?

Silencing foster parents directly contributes to our ongoing foster care crisis in Colorado.

When foster parents don't have a voice in court, the facts of the case are often unknown or misinterpreted. Foster parents are aware that reunification is always the goal. Our agency counsels foster parents on ways to be a support and open healthy lines of communication to help with transitions and eventual reunification. It is heartbreaking to sit in court and listen to respondent parent counsel vilify foster parents when I'm aware of how much love they pour into children and their families. Excluding foster parents prior to a year removes the voice of a child's biggest advocate; the people that care for them daily. The system should be making decisions that are in the **child's** best interest. I struggle to understand why limiting the voices in the team that aim to help a family become whole again would be beneficial. The judge should have a full and clear picture from all relevant parties to make the best decisions for the child.

The current EPP time frame aims to provide permanency within a year. Anyone in the system is aware that important decisions are generally made between 6 – 12 months. It is a blatant disregard to the experiences, education and knowledge of foster parents to not allow their voices to be heard for the entirety of a case. Taking away voices that represent the children doesn't lead to more positive outcomes in a case. Foster parents are the closest voice to the children and they deserve the ability to express it at any point in the case.

Thank you for your time. Please vote NO HR23-1024 today.



Megan Finesilver

House Public & Behavioral Health & Human Services
 03/01/2023 01:30 PM
 HB23-1024 Relative & Kin Placement Of A Child
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
<p>Annie Contractor Against herself</p>	<p>Madame Chairwoman and Committee, thank you for receiving my testimony.</p> <p>I am testifying in opposition to HR23-1024.</p> <p>A Coloradan from Cañon City, I have lived in Westminster for six years. I became a foster parent last August with my family's first placement. She is still placed with us.</p> <p>Because of this ongoing placement, I am declining to share details I have in mind for why this bill is dangerous, first for the children placed into foster care, but also for the birth parents and kin who are working toward reunification. In broadest terms, however, I believe it is critical that judges charged with making decisions for the well-being of the most vulnerable children in our society have access to every single information source available. No court appointed visitor, overworked caseworker, or weekly therapist is going to replace the deep knowledge held by foster parents who spend the most time with these kids, and this information must not be delayed to the 12 month mark - the earliest possible time to get the information is consistent with the law to make permanency and reunification possible. A few reasons I strongly oppose this bill and specifically, the provisions regarding foster parents ' right to intervene:</p> <ul style="list-style-type: none"> - Courts must make determinations as to who the child's permanent home is, if a child cannot return to a parent, WITHIN twelve months, not after. If foster parents cannot intervene until 12 months, their voices are silenced entirely - Important decisions are made between six months and 12 months into a case. -Even in cases in which a child returns to a parent, or gets placed somewhere else, foster parent intervention is often not about whether a change of placement occurs but how a change occurs for the child. This is the source of much of the trauma my foster child has endured. - The argument that this bill "levels the playing field" is specious, as Kim have the right to intervene at the beginning of the case. <p>Finally, kin placements should come with financial resources to make those placements sustainable. Poverty should never be the reason children can't stay with their families, and Colorado has the resources to support kinship placements financially. Raising children is not free. If keeping families together and reducing trauma through successful kinship placement is a true priority, please provide funding.</p>

	<p>Thank you to the committee for your time reading my written testimony. Please vote "no" on HB23-1024.</p> <p>Sincerely, Annie Contractor</p>
<p>Deborah Cave Amend Colorado Coalition of Adoptive Families (COCAF)</p>	<p>Chair Jenet, Vice Chair Young, Committee Members, My name is Deborah Cave. I am president of the Colorado Coalition of Adoptive Families (COCAF), and advocate for kinship and pre-adoptive parents during all aspects of the permanency process. I completely agree with the sections of HB 23-1024 supporting kinship families; too often I am contacted by kin who have not been properly informed of permanency options, provided appropriate services/financial supports, etc. However, I am concerned about the language in one section of the proposed bill. Currently, foster parents can intervene in their foster child's case after three months of placement; the proposed legislation would change this to 12 months. We would not constrain a physician's or educator's care of a foster child by disallowing a foster parent to provide information to those providers, but the proposed language would do just that regarding a judge's permanency decision for a child. My concerns include:</p> <ol style="list-style-type: none"> 1. In CO, a permanency decision for a child must be made within 12 months of placement. Allowing a foster parent to intervene only at the end of this time effectively precludes a judge from accessing any information from the foster parent in making their permanency decision for the child. A 2013 Colorado Supreme Court case (A.M. v. A.C., 296 P.3d 1026), addressed this issue: "...limitation proposed by the parents would actually serve to diminish the accuracy of decisions by withholding admissible, highly relevant information from a juvenile court's consideration merely because it comes from a foster parent. Exclusion of relevant information that foster parent intervenors might provide would therefore heighten, not mitigate, the risk of an erroneous decision at the termination hearing." (A.M. v. A.C., 296 P.3d at 1037). A judge's permanency decision will have life-long impacts on that child. Prohibiting foster parents from intervening until after 12 mos. of placement prevents inclusion of information/evidence from that parent in the permanency decision, possibly heightening the risk of a judge making an erroneous decision at a termination hearing. 2. Relatives can intervene at any point in the Dependency & Neglect process on behalf of a kin child, even if the child has never been in their care (§19-3-507(5)(a)). <p>I am requesting that HB 23-1024 be amended to delete the language allowing intervention by foster parents after 12 months of placement (e.g., default to current language). Thank you.</p>
<p>Jess Bourassa Against themselves</p>	<p>Madame Chairwoman and Committee Members, thank you for allowing me to testify today. I am testifying in opposition to HR23-1024.</p>

	<p>My family and I live in Douglas County and we have been certified foster parents for 4 years. We have provided care for over 12 children.</p> <p>This change could gravely impact our position of family preservation. We received a call in April 2020 for twins that needed a foster home. We picked them up from the hospital and they have been in our care since. Unfortunately there was no engagement from any biological or kinship family members. They will permanently be apart of our family in 22 days.</p> <p>November 2022, by chance, we found out that their mother had given birth to a baby boy in Denver County. We were never contacted by Denver County and he was placed in a foster home in Denver County.</p> <p>We have been relentlessly expressing our desire to maintain the integrity of preserving our children’s ‘family/roots/biological connection’ to no avail. No call backs, no e mail returns. The only thing we were told is that he is bonded with his foster family and they are not looking to transition him. This grossly violates the Siblings Bill of Rights.</p> <p>We are in the process of engaging with an attorney to start Intervening in the case so that we can fulfill our intuitive responsibility of preserving their connection and family relationship. It is imperative that we have an opportunity to do this before 12 months. There are so many impactful decisions that need to be made well before the 12 month mark, not to mention we do not want these children to be exposed to additional trauma.</p> <p>If you chose to approve this bill think of all of the children that cannot advocate or speak for themselves that yern to have connection with biological siblings - making them wait 12+ months to have an advocate intervene dramatically affects their access and ability to start healing/develop meaningful sibling relationships. Who wants to explain why we were forced to wait 12 months?! Not us.</p> <p>I plead with you to please do the right thing and not approve the proposed changes and keep the ability to intervene at 3 months. Families rely on you to support the most important work and preserve families, siblings and ones that cannot speak for themselves.</p> <p>Thank you for your time.</p>
<p>Rachel Jasper Against themselves</p>	<p>Colorado representatives,</p> <p>I am a foster parent and social worker and I oppose HB23-1024. For some perspective, I’d like to share a personal experience of a child going to kinship and then returning to my care. An infant was placed in my home and shortly after moved to a kinship home with nearly a</p>

	<p>dozen other children. This placement didn't work out favorably, hence why the child returned to foster care. While in the kinship home, the child did not go to regularly scheduled doctor appointments, did not receive any necessary early intervention services, and did not spend time socializing or doing "tummy time" - resulting in even further delays in development. This child may now also suffer from attachment issues long-term having been in the NICU, a halfway house, a foster placement, a kinship home, the biological parents, and then back to the foster placement. None of this was due to negligence or malice from the kinship provider, but rather due to the overwhelming amount of time and work that taking in children with severe needs requires. The standards to approve kinship placements are already so low that it's setting children and families up to fail. My concern is that this bill ultimately lowers the standards for kinship even further, leading to a bigger gap between the children's high needs and the kinship's ability to meet those needs. This bill does not propose further systems of support for family units, but rather it solely makes it easier for DHS to approve kinship placements.</p> <p>I value supporting biological families and their relatives and kin. I have even spoken in court about how I will continue to support biological families after the closure of their DHS case. That being said, I feel that minimizing foster parents' rights to advocate in the children's cases and reducing the standards of kinship placement is not favorable for anyone and ultimately results in more trauma. By taking away the right for foster parents to intervene (before 12 months into a case) is ultimately silencing the voice of the one who spends the most time with the child. The reason for intervening is to advocate for the child who may not be able to advocate for themselves. I would like to believe that this bill was written with the best of intentions. However, coming from someone in the trenches of foster care and social work, this bill really misses the mark and would result in more harm than good. I strongly urge you to oppose HB23-1024.</p> <p>Respectfully, Rachel Jasper</p>
<p>Sarah Ry Against themselves</p>	<p>Dear Committee Members, I am opposed to this bill. It contradicts established case law and negatively impacts children/families in foster care.</p> <p>We were foster parents, 2012-2022. During that time we supported 3 reunifications, 3 adoptions. Two of our three adopted children were reunified prior to adoption. We put considerable heart, time, money, and support into reunification. We were part of the parents' reunification safety plan at their request. We believe a child should be raised safely with family. Foster parents can support this outcome.</p> <p>We also intervened in all three cases.</p>

	<p>Foster parent intervention does not mean “fighting” against reunification. It means advocating for the best interest of the child which often means advocating for reunification or kin placement and advocating for healthy transitions. The assumption of the Office of the Respondent Parents’ Counsel and this bill is that a foster parent intervenes in an adversarial manner. This is not accurate.</p> <p>Critical decisions are made within the first 12 months of the case. Preventing foster parents from intervening until 12 months, and thus overturning established case law, is detrimental to child and all involved in the case. Foster parents are an essential part of the child’s TEAM. As Colorado Supreme Court Justice Brian Boatright wrote in the courts’ decision upholding foster parent intervention: “Indeed, as the immediate caregivers for the child, foster parents are often uniquely positioned to provide a juvenile court with the most up-to-date status of the child and the child’s well-being. Limiting this would it i actually serve to diminish the accuracy of decisions by withholding admissible, highly relevant information from a juvenile court’s consideration merely because it comes from a foster parent. Exclusion of relevant information that foster parent intervenors might provide would therefore heighten, not mitigate, the risk of an erroneous decision.”</p> <p>Kin can intervene at the the start of a case so there is no “playing field to level”, as this bill indicates. The analogy is flawed; everyone, including foster parents, are on the SAME team, supporting a child and their family. It is not a “game”, it’s a child’s life. The more caring, informed, involved adults a child has advocating for them in a timely manner, the better.</p> <p>Respectfully, Sarah Ryan</p>
<p>Lee Freeman Against Foster Alight</p>	<p>Madam Chairwoman and committee members,</p> <p>Thank you for the opportunity to submit written testimony. I am testifying in firm opposition to HR23-1024. As a former foster parent with experience in a contested placement hearing and executive director of a nonprofit serving biological parents in the foster system, I have grave concerns about HB23-1024.</p> <p>I could say much more, but here are the main problems: 1) It minimizes the scientifically confirmed, preeminent importance of attachment; 2) It provides judges with less information when making life-changing placement decisions; 3) It is the wrong solution. Requiring counties to vigorously exhaust all kin placement options in the first 30 days after removal would be far more effective at encouraging kinship placements while minimizing trauma to youth; 4) It is too absolute and heavy-handed, failing to acknowledge the</p>

	<p>individual needs of youth and the varying nature of different kin relationships; 5) It widens the most insidious and unnecessary rift in the foster system—that between foster parents and biological parents—by undermining the voices in our community who are doing the most to care for vulnerable children, all in an environment with a dire shortage of foster parents, which this legislation will exacerbate.</p> <p>Please vote “no.” We can do so much better, and it’s hard to imagine how we could realistically do worse than HB23-1024.</p> <p>Thank you, Lee Freeman</p>
<p>Mistie Scudder Against themselves</p>	<p>Madame Chairwoman and Committee Members,</p> <p>I am testifying in opposition of HR23-1024.</p> <p>I have fostered in Northern Colorado for going on 5 years. In that time I've served as a home for over a dozen children. In those cases, I've intervened in two. The two cases I've intervened in are both EPP cases, meaning they should be in a permanent home within 12 months. I've intervened for the purpose of advocacy for these children. As a foster mom, I advocate for the child's best interest... which is always permanency. There are critical decisions made between 6 and 12 months in a case and taking away a foster parent's right to intervene would negatively impact the children and families in the system. Intervening is not solely for the purpose of adopting; I've intervened to advocate a child returns to family as well.</p> <p>As far as kinship placements, I'd like to share a personal story about a child I had who went to kinship and returned to my care after 2 months. The department pushed this child into the hands of a family that simply was not prepared to care for a severely drug impacted child. The impact of the child going to kinship (out of state) then returning to my care will be felt for years to come. The child missed critical medical appointments and has disorganized attachment and abandonment issues. The concern with supporting kinship placements isn't that foster families do not want children with their biological families, it is that the biological families aren't trained, prepared, or supported in a way that gives them the capacity to care for these children.</p> <p>Thank you for hearing my testimony and I ask you vote no on HB23-1024.</p> <p>Respectfully,</p> <p>Mistie Scudder</p>
<p>Vanessa Quintana</p>	<p>Good afternoon,</p>

<p>For themselves</p>	<p>I appreciate this opportunity to submit a written testimony in support of HB 23-1024. My name is Vanessa Quintana. I am a resident of Denver who served as a certified kinship provider for two and half years and am also a foster baby.</p> <p>When my family faced a crisis as a child, my siblings and I were removed from our home and placed in foster care. I was a baby separated from my parents to live with strangers. At 31 years of age, I have invested years into therapy and ancestral healing to heal the deep wounds within my maternal and paternal roots. At the core of this is an anxious-ambivalent and avoidant approach to love, trust, and being in relationship with people. I am confident in asserting the separation from my parents as a baby has negatively impacted the formation of my attachment style. While all my family struggles with poverty, I am confident being around familiar faces, voices, and touch from family members would have served me better</p> <p>As the cycle of poverty perpetuates systematically in my neighborhood, I stumbled upon parenthood because of the circumstances of my sister. Without free and accessible recovery services and ancestral healing of trauma, my sister fell into a deep well of addiction that compromised the safety and health of my nieces. As I went away to Berkeley to earn my masters of public policy, I feared for my nieces. When I received a call regarding truancy court for my niece, I knew something was wrong. No one could get a hold of my family because people living in poverty do not have a stable phone line. When they found me, I stepped up immediately by joining meetings. When the pandemic hit, I moved home to be with my girls as I finished my degree. When my mother was unable to care for my nieces, I moved them in with me. I did everything I had to do to ensure my nieces stayed together. While I have many critiques of the system, I absolutely applaud DHS for only considering a kinship provider to care for my nieces. They understand placing a child with family is the best case scenario.</p> <p>My lived experience with generational poverty and as a foster baby compels me to advocate for kinship placement of children and youth in an unwanted situation. I encourage the members of this committee to please vote in favor of HB 23-1024 for all foster children and their families who only want to love our children.</p> <p>Thank you, Vanessa Quintana</p>
<p>Hugo Quintana For themselves</p>	<p>Good afternoon,</p> <p>I appreciate this opportunity to submit a written testimony for the House Committee on Public & Behavioral Health and Human Services in support of HB 23-1024. My name is Hugo Quintana and I</p>

	<p>am a resident of Aurora and currently serve as a kinship provider and am a former foster kid.</p> <p>When my family faced a crisis as a child, my siblings and I were removed from our home and placed in foster care. I was a toddler separated from my parents with people who I did not know. Though I know foster parents are beautiful souls with pure intentions to support children in traumatizing circumstances, it is scary living with strangers.</p> <p>Coming from a family with impoverished roots, my family still grapples with challenges of unstable housing. On Christmas Eve, I received a call that my brother and the mother of his children were incarcerated leaving the kids with no place to go. I am thankful El Paso County human services reached out immediately to me and asked if I would parent. I agreed without hesitation because I love my nephews and little niece. I love them dearly and would do anything to make sure they stay together as they heal. Though I do not have much to offer, I have my home, all my love, and home cooked meals from their favorite chef. I am sure there are other uncles who want to step up for their niece and nephews. Without a doubt the grandmas and aunts are holding it down for our families. They deserve the opportunity to love their babies in moments of crisis to help prevent further trauma.</p> <p>I strongly encourage this committee to vote in favor of House Bill 23-1024 on behalf of foster kids and their family stepping up to love our kids.</p> <p>Thank you, Hugo Quintana</p>
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Madame Chairwoman and Committee Members, Thank you for allowing me to share concerns regarding this proposed change.

I am testifying in opposition to HR23-1024.

My name is David Korecki and I have fostered or provided kinship for a little over 5 years. I am currently an intervenor in an open Dependency & Neglect case.

I chose to intervene in the case around the three-month mark given some complexities with the case. We have been actively involved with this child's care from the beginning as this child's primary caregiver from birth. He was born early with needs. As requested, we picked him up from the hospital. As time moved on, we soon realized we were best equipped to care for this child's daily needs as his biological mom and dad were unable to care for him.

I fear that these proposed rules and regulations will make it harder for foster and kinship providers to advocate for the children in their care by removing their ability to intervene until after a year. Judges need to hear from the daily caregivers, not just the biological parents or council.

As an intervenor, my job is to speak up for what is best for that child. . . not what's best for me. It's a responsibility I take seriously and a duty I will execute until the child receives permanency. Who better to speak in court on behalf of the child than the person who cares for the daily needs of the child? Judges should hear from the caregivers.

I am asking you, please don't take away a powerful tool that foster and kinship parents can use to access vital information about the case, issues, and potential problems related to the daily care of the children in their home.

I know in my case, the ability to intervene gave me access to testimony and information that directly impacts the way I care for this child. In short, it ensured I parent him in the way he needed and minimized additional trauma to the child.

The needs of these children in our care must be prioritized.

The state already trusts us to care for these children and there are countless rules and regulations we must abide by and hurdles to clear before we ever render care.

Why not make it easier for foster and kinship parents to do the job they are being called upon to do?

I'm asking you to at least allow primary caregivers the ability to do what is best in our view of Prudent Parenting as we care for these children. Please leave the ability to intervene in cases as needed at 3 months.

There is already a shortage of qualified foster and kinship placement homes in Colorado. I fear that introducing legislation as proposed will make it harder to find qualified caregivers willing to take on the challenges of fostering.

Please don't make it harder on those who willingly accept the call to help. Don't give people a reason to say no. For the caregivers who willingly stay up all night to rock crying babies and care for traumatized children. Who drive countless miles to and from appointments, who sacrifice so much to provide care. . . give them a reason to stay. Make it easier for them to do their jobs and to stand in the gap as caregivers for as long as they are needed.

That's why I am respectfully asking that you vote against this measure. I implore you to find ways to make it easier on foster and kinship providers, not harder as this proposed legislation will do.

Thank you

David Korecki

JESSICA C. HANDELMAN

LICENSED CLINICAL SOCIAL WORKER
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March 1, 2023

Dear members of the Public & Behavioral Health & Human Services Committee,

My name is Jessica Handelman, and I am a Licensed Clinical Social Worker. I am writing to you in support of HB 23-1024, which will help children have a chance to be raised in their families even when they cannot safely remain with a parent.

My opinions outlined herein are based on my work in the child welfare field for the past 17 years. My practice receives referrals from several Departments of Human Services throughout the state, respondent parents, Guardians ad Litem, and kinship intervenors. I routinely conduct Parent-Child Interactional evaluations and provide therapeutic out-of-home placement transition services for children in out-of-home care. In addition to my dependency and neglect (D&N) work, I am a certified Child and Family Investigator serving numerous judicial districts in Colorado. I have been previously qualified as an expert witness in 17 jurisdictions throughout the State of Colorado in various areas of expertise.

Generally, a child's identity is formed based upon various factors, including the family of origin, cultural values, family traditions, and personality traits. It is a natural human tendency to know and understand our heritage and biological roots, but because adopted children tend to lose their connection to the factors that form their identity once adopted, these losses become the center of an overwhelming existential crisis. Adopted children tend to search for their roots, identities, and sense of self by questioning the circumstances surrounding their adoptions and why their family members did not fight for them. Because of this questioning, adopted children begin to internalize a feeling of diminished self-worth.

This experience is commonly referred to as "disenfranchised grief." This type of grief is neither socially sanctioned nor openly acknowledged and tends to be more challenging to resolve than publicly mourned grief, like the death of a parent, for example. The experience of adoption-related loss and disenfranchised grief typically manifests into mental health disorders, substance abuse, juvenile delinquency, and increased suicidality. It contributes significantly to how a child conceptualizes their view of the world as they grow older and how they are able (or unable) to function in future relationships.

I understand that some of the concerns raised in opposition to this bill relate to the requirement that ordinary bonding and attachment with a foster parent not being the sole basis for denying placement with a relative. As someone who understands the importance of attachment, I also

understand how attachment theory has been weaponized to prevent placement with relatives or kin if they are identified or located at any point after the case first opens.

Since I started practicing, I have noticed a disturbing trend of foster parents obtaining their own experts to conduct bonding and attachment assessments. These assessments are frequently employed in placement hearings to argue against placement with a relative, with experts relying on the American Academy of Pediatrics (AAP) guidance from two decades ago to argue that disrupting the bond or attachment between the foster parent and the child would be catastrophic.

This belief or attitude is outdated. It should be noted that if children were incapable of transitioning back to family once creating a secure attachment in foster care, then it would be unlikely that any child who has been in out-of-home placement for a period of time would transition back home to family due to the presumption of forming a secure attachment.

Thus, the AAP also holds the opinion that kinship placement offers far more benefits for children than placement in foster care. Because of this opinion, and the cited long-term emotional harm of remaining in foster care, it is clear that Attachment Theory was never intended to form the basis for keeping a child from returning home to the child's family of origin. If separating a child from a primary caregiver should only be undertaken in matters of extreme urgency, it stands to reason that transitioning a child out of foster care and back home to his biological family is absolutely a matter of extreme urgency. This is further bolstered by the AAP's recognition of the disparate struggles of racial trauma that will ensue when a child is adopted into a family that is racially, ethnically, or culturally different than his own.

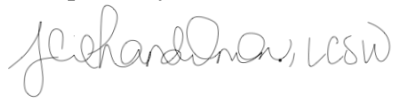
It is a common misunderstanding about how culture should be defined when assessing permanency for dependent and neglected children. Many professionals believe that a child's culture is preserved if that child achieves permanency with a caregiver who shares the child's same race; however, culture and race are distinctly differentiated. Consider being raised in a household other than your own by caregivers unrelated to you. What might be different about your life today? What values? What traditions would not be part of your life? Perhaps your native language or a family recipe?

Culture comes in relatively obvious forms, such as music, dance, food, clothing, language, art, and celebrations. There are also the less obvious forms, such as religion, history, rituals, patterns of relationships, rites of passage, body language, and leisure time. Even more profound, however, are forms of culture that require extensive inquiry and observation for someone else to understand, such as the meaning of community, notions of leadership, patterns of decision-making, beliefs about health, help-seeking behavior, notions of individualism versus collectivism, and approaches to problem-solving. These manifestations of culture are typically learned through modeling, usually at an early age. These variations of culture are only observed and maintained through the preservation of individual families, which

is precisely why the legislative declaration of the Children’s Code states that the purpose of the title is to “preserve and strengthen family ties whenever possible.”

I am sorry that I cannot be there in person to testify. In closing, I urge you to pass HB 23-1024. Children do better when they are placed with relatives. I see far too often that relatives are denied the opportunity to care for their loved ones by reliance on antiquated science and by racial and cultural biases that favor foster families. These foster families have resources to hire expert witnesses and attorneys to intervene, while relatives struggle to even get notice of hearings concerning their family members. This bill may lead to less work for me, but I welcome these important changes for families and children that will result in less traumatic harm and generational healing.

Respectfully submitted on this 1st day of March, 2023.

A handwritten signature in cursive script that reads "Jessica C. Handelman, LCSW".

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House Public & Behavioral Health & Human Services Committee
Colorado General Assembly
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Subject: HB23-1024: Relative & Kin Placement Of A Child

Dear Committee Members:

Thank you for the opportunity to submit this written testimony for the hearing on HB23-1024: Relative & Kin Placement Of A Child. In my role as a Senior Research Scientist and Director of the Social Work Research Center in the School of Social Work at Colorado State University, I have conducted research on kinship care for the past 19 years. I was the lead author on a systematic review co-published by the Cochrane and Campbell Collaborations in 2009 with an updated review co-published in 2014. This systematic review was twice awarded the Leonard E. Gibbs Award for the Finest Systematic Review by the Campbell Collaboration Social Welfare Coordinating Group and is considered the highest level of empirical evidence on kinship care to date. The following is a summary of the key statistically significant findings from the updated systematic review based on a meta-analysis of 71 international quasi-experimental studies on kinship care conducted from 1994-2011.

- Children in kinship care experience fewer behavioral problems than do children in foster care
- Children in kinship care experience better adaptive behaviors than do children in foster care
- Children in kinship care experience fewer mental health disorders than do children in foster care
- Children in kinship care experience better well-being than do children in foster care
- Children in kinship care experience better placement stability than do children in foster care
- Children in kinship care are less likely to experience institutional abuse than children in foster care
- Children in kinship care experience similar rates of reunification as do children in foster care
- Children in foster care are more likely to utilize mental health services than children in kinship care

Please reach out if you have any questions or need further information on this study or kinship care research in general.

Best regards,

Marc Winokur

Marc Winokur, PhD
Director, Social Work Research Center
School of Social Work, Colorado State University

My name is Jaime Menegus, and I am testifying in my personal capacity in support of HB23-1024.

I represent parents in child welfare cases in the San Luis Valley. For those of you who have not been there -you must go. In addition to being astoundingly beautiful, it has a deep culture unique to Colorado. It has Colorado's oldest town, oldest store, oldest church, and oldest water rights. Many of its residents are Chicano and Native American and their family history goes back hundreds of years.

I want to tell you about three of my cases down there.

The first was a Costilla county case involving two Chicano infants. They are from the oldest town in Colorado -San Luis -where their family has resided for generations. They have a great-great-gramma who makes bizcochitos and tortillas and speaks only Spanish. But they will never meet her. They were placed with white foster parents. No one ever did anything to look for relatives to place them with. Their gramma presented herself to the Department to be considered for placement early on in the case but was turned away. She attended almost every court hearing, and only learned she could intervene right before the termination of parental rights hearing, where she sat up with me at counsel table. The judge didn't even know who she was.

The foster parents in that case hired counsel. So it ended up being me versus three lawyers fighting for these children's relationship with their biological family to not be severed forever. If the Department's attorney and the Guardian ad Litem are not enough to overcome me, then maybe we have to think about whether it is really in these children's best interests to be adopted by foster parents.

The second case I want to talk about is an Alamosa county case, again involving a Chicano infant. The child was also placed with white foster parents. The Department had written off my client's mother because, although at this point she is an adorable grandma and has been sober for years, she had struggled with substance abuse when my client was a child. The Department had written off my client's father because of unsubstantiated allegations in a prior child welfare case. No one looked for any other relatives. Unfortunately, I took over the case from another attorney after a termination motion had already been filed. I identified a number of safe and appropriate relatives. The Department's attorney called these relatives, however, and told them they would not be considered for placement as the child was attached to the foster parents and removing her from them would be harmful to her.

This is something I have seen often - basing permanency decisions on attachment. But, the point of foster care is to be temporary. We should assume children have a secure attachment to foster parents because that is part of what they are intended to do. But if we never placed children with relatives because they were securely attached to foster parents, then children would never go home. And, if a child has a secure attachment, that means they can form a secure attachment to future caregivers.

Another thing that was troubling about that case was the Department's response when I argued that we were not considering severing this child's ties to her Chicano heritage. The Department argued that the child would be raised in a largely Chicano community, and could benefit from heritage days at school and social media. But culture learned is not culture lived.

Finally is a Rio Grande case involving a child who has been in the system since he was 2 and is now 4. He has struggled immensely and as such was

kicked out of his daycare and original foster home. His current foster parents just first committed to keeping him three weeks before the termination hearing-which makes me concerned that this will end up as a failed adoption. My client has an intellectual disability and so had struggled to find housing and develop parenting skills in a timeframe that a parent without an intellectual disability would. The Department had not even spoken to any family members, who have been dedicated to being there for the child no matter what, until the case was a year and a half old. Everyone has thrown themselves full force in support of the prior and current foster parents.

In my experience, it appears that all of the Department, GAL, and treatment provider's efforts go to supporting foster parents. Parents and their families are written off because of their struggles with poverty, mental health, substance abuse, and disabilities, even if there are safe and appropriate family members available for placement.

But we know that social science demonstrates that children do best with their families. Their families are less likely than foster parents to bail on them as they experience difficulties based on their past trauma. Research shows that 100% of adopted children go on a lifelong search for a sense of identity. They want to know where they came from. They search for their biological families. They, in addition to their families, experience intense grief and loss because their relationship has been permanently severed. And when they find out that their biological family fought for them and lost to their adoptive parents, this creates an additional level of trauma for them.

No one is arguing against the fact that the court must hear from foster parents about what the child's needs are. There are numerous routes, such as testifying as witnesses, that foster parents can and currently do this through, though. The Department and the GAL can and do present

the relevant medical evidence. Hiring lawyers and fighting full force in support of them keeping another family's child is about foster parent's interests, not the child's.

The committee has heard from numerous foster parents and one thing that has stood out to me is how most if not all of them have supported reunification. That has not been my experience. Foster parents in my cases have fought against parents. One foster mother calls me "Hellegus" for advocating for services for the biological family. Notably, the court denied the GAL's motion to terminate the parents' parental rights in that case because the Department had done nothing to help the children's family.

There must be a way to incorporate a provision that allows for the rare cases that this committee has heard when foster parents were ignored and needed to intervene to move the case forward. In my experience, foster parents are revered.

It was so hard to condense the stories of these children, parents, and relatives into 3 minutes. I would love an opportunity to talk to any of you in more detail.

Thank you.

In support of HB 23-1024 – Relative and Kin Placement of a Child

My name is Tom Perille. I am a physician and President of Democrats for Life of Colorado. We are prolife for the whole life. I am also a Court Appointed Special Advocate (CASA) for abused and neglected children in the foster care system.

1024 would implement changes that would enhance the probability of kin placement in D&N cases. It would also mandate support for relatives contemplating kin placement. Why should this be a priority?

The conclusion of studies looking at out-of-home care suggest that children in kinship care experienced greater permanency.¹ This means that had lower rates of reentry into the D&N system, greater placement stability, and more guardianship placements. Children in kin placements experience fewer behavioral problems, fewer mental health disorders, and better well-being.² They may also have a lower incidence of early motherhood.³ While this research is characterized by methodological and design weaknesses, this is the best evidence we have.

By improving permanency for these children, we reduce the odds they will “age out” of the foster care system. This is a very important state objective because we know that as young adults these individuals are at substantially increased risk of incarceration, and food/housing/income insecurity.⁴ While there are many policy initiatives that may mitigate the negative consequences of “aging out”, the best solution is to improve the chances of achieving permanency within the foster care system. 1024 and kin placement will go a long way towards achieving this goal.

1024 doesn’t give a blank check to relatives of affected children. It explicitly carves out consideration for the child’s health, safety or welfare. Nor does it propose that permanency is the only issue that is relevant to a child’s educational or economic success.⁵

From my own brief experience as a CASA, I have learned the importance of kin to the child victims of dependency and neglect. When a child’s world is torn apart by such a basic betrayal of parental trust, a familiar face and loving relative, can be lifesaving.

I would encourage you to support HB23-1024.

Thomas J. Perille MD FACP FHM
President, Democrats for Life of Colorado

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Good afternoon,

My name is Sarah Burgess. I am the bilingual program manager for the Kinship Caregiver program through Catholic Charities. I am opposed to this bill because it does not have a fiscal note attached.

I am part of a two person team. We offer support groups, family events, and connect caregivers to information and assistance. We cover the Adams, Arapahoe, Douglas, Denver and Jefferson counties.

Our program is funded largely through a grant with DRCOG –which only applies to caregivers 55 years old and over, but we are seeing more and more caregivers joining our programs who are under 55. We only have funding to support caregivers under 55 years of age through donations. Most under 55 year old kin are taking care of kids because bio parents passed – frequently due to fentanyl overdose, bio parent have mental issues or drug issues, they are incarcerated, or are out of the country.

I am going to share stories about some of the kinship caregivers we work with to illustrate why it is fundamental that a fiscal note be attached to this bill. Kinship caregivers actually receive less financial support than foster parents, and they need to fight for it because it's not an automatic assignment. For example, in our October 2023 meeting in Douglas County, one caregiver, Ms. GE who is raising her grandson long term and recently lost her spouse, shared a legal contact that had helped her secure long term financial support for her grandson so that other kinship caregivers could reach out and get support. Not another person in the group was even aware that they could access financial support.

I also want to share the stories of two women who are over 70 and working. Ms. DP in Jefferson county is 71, and working to support 2 grandkids. Ms. AL in Douglas county is 80 and came out of retirement and returned to work at a school to support raising her granddaughter. When a caregiver is working, they still need to balance children's appointments, children getting sick at school, and mental health.

Caregiver's are navigating how to raise someone who is 60 years younger than them. Ms. DP in Jefferson

is continually looking for low cost activities to keep her grandchildren active because she can't physically keep up with them.

Very quickly I want to give a snapshot of different kinship cases where caregivers need to use every possible resource to support their families.

1. Ms. BM- 79, in Denver is raising 10 grandkids. She recently lost her husband and was also hospitalized.
2. Ms. BO 53 in Denver is raising 10 kids – both bio and grandkids. She is undocumented but her kids are citizens. As an undocumented worker, she struggles to find a job. Her husband just passed in October. She makes food and sells it to support her family and relies on her older kids working as well. Last month their electricity bill was over \$1,000. She is worried about rent being raised.
3. Ms. MS, 66, in Douglas is raising her granddaughter. Bio dad is occasionally available to help but is not trustworthy or reliable. Her husband passed last year, and she has been in cancer treatment for 5 years. She is in the process of planning what will happen if she passes, and balancing the struggles of a granddaughter who is losing everyone around her.

As an organization, we are thankful that kinship caregivers are being recognized and that moves are being made to support caregivers. However, this bill is falling short of providing the much needed supports that kin need – from our stand point: ensuring that there are financial resources to support kin.