

VOL. I

P U B L I C H E A R I N G

before

SENATE COMMITTEE ON INSTITUTIONS AND AGENCIES

to

DETERMINE THE PROCEDURES AND PRACTICES OF THE
BUREAU OF CHILDREN'S SERVICES, DEPARTMENT OF
INSTITUTIONS AND AGENCIES, STATE OF NEW JERSEY

Held:
April 3, 1970
Assembly Chamber
State House
Trenton, New Jersey

MEMBER OF COMMITTEE PRESENT:

Senator Joseph J. Maraziti [Chairman]

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SENATOR JOSEPH J. MARAZITI: The hearing will come to order.

The purpose of the hearing is to determine the procedures and practices of the Bureau of Children's Services and to determine what, if anything, we can do to improve these procedures and practices.

Let the record show that the Chairman of the Senate Institutions and Welfare Committee, Joseph J. Maraziti, is present.

This is a public hearing and anyone who wishes to testify may do so. You may testify with notes or without notes, you may read your statement, you may submit your statement, you may do anything you wish. Any of you who wish to testify should give your name to the gentleman at the extreme right, Mr. Carl Moore, if you haven't already done so.

The hearing will proceed all day and I anticipate that we will have additional hearings at a later time. If anyone must leave early, let me know when we have a recess and I will see what I can do to put you on in advance.

I would like to start the proceedings by calling on Mr. Henry R. Hollender, Chief of the Bureau of Children's Services. Mr. Hollender, I wonder if you would step forward and sit at the desk here.

Will you kindly let us have your title and your position in the Bureau of Children's Services, Mr. Hollender?

H E N R Y R. H O L L E N D E R: I am currently the Chief Executive Officer of the Bureau of Children Services.

SENATOR MARAZITI: And how long have you been in that capacity.

MR. HOLLENDER: For approximately 2 years.

SENATOR MARAZITI: Now I wonder if you can give us a general summary of what your Bureau does, how many children are under your jurisdiction, the nature of the procedures, and so on.

MR. HOLLENDER: All right. I think the first chart over here would give a good idea of the breakdown of our agency in relation to the kinds of services we perform.

As you can see, the largest number of children under our supervision are in the program that we call the Care Program.

SENATOR MARAZITI: What's the total?

MR. HOLLENDER: We have a total of 26,792 children under supervision as of the end of January, 1970. 14,160 of these children were in what we call the Care Program. Now the Care Program is a service program aimed at providing whatever Child Welfare services are needed in order to preserve family life.

This is a voluntary program and the services are given with the consent of the child's guardian or caretaker.

The range of services that we give here go all the way from counseling in their own home to placement of a variety of kinds, either foster home placement,

institutional placement; it could involve supplementary services to the family such as day care, homemaker services, these kinds of things. The aim of this program is to rehabilitate families.

The next largest number of children under supervision is a new program, the Work Incentive Program, which came into effect in December, 1968, and in this we have one aspect of the total Work Incentive Program and that is to arrange child care for the children of those mothers who are going out into work training. This is primarily a program under the Federal Social Security Act and 75% of the expense of this program is Federal expense.

SENATOR MARAZITI: How many in this category?

MR. HOLLENDER: There are 6,230 children under supervision in this program as of the end of January, 1970.

The next largest is children under the guardianship of the State of New Jersey and we exercise guardianship for 4,146 children as of the end of January, for the State of New Jersey.

Now under this program, we have the full right of guardian over the child, including guardianship of his person and of his property.

The next largest number of children are in the Protective Services Program. This is a more recent program and involves children where there has been an

allegation that the child's welfare is endangered and we can go in and provide whatever services are needed within the child's own home in order to correct the situation. If necessary, we can go into court to get an order of supervision without going through the full rights of guardianship. But primarily this is a program of service to children in their own home in order to help them overcome whatever problem they're having in their own home.

The smallest number of children is in the Adoption Complaint Investigation.

SENATOR MARAZITI: How many in this Protective Services?

MR. HOLLENDER: In protective services? 1,876 as of the end of January, 1970.

The Adoption Complaints are investigations for the court as an approved adoption agency in situations of independent adoption. The law provides that in an adoption where an approved agency was not involved in the placement, an approved agency must do an investigation for the court.

SENATOR MARAZITI: How many in this category?

MR. HOLLENDER: We had 380 children under this program as of January, 1970.

Now this gives us a grand total of 26,792 children under supervision.

Now you have asked that we particularly focus on the children under guardianship and these are the

children we primarily do have the right to place for adoption.

SENATOR MARAZITI: Now on this 14,160, the Care Program, are these children with their parents?

MR. HOLLENDER: Some are, some are not. They are in a variety of placements, the 14,160 children. Children under this program are as varied as children in the general population.

SENATOR MARAZITI: I didn't get that.

MR. HOLLENDER: They are as varied, as different as children in the normal population.

SENATOR MARAZITI: Now what is the function of this care program? Do you anticipate there any guardianship proceedings?

MR. HOLLENDER: Yes. Some of these children come under supervision in this program with the idea that we are going to be working toward adoption for the child. And it could or would be that children under the care program are being studied and their family situations are being studied to determine whether adoption is the plan. The unwed mother who wants help in planning for her child would come to us, normally, under the care program, at her own request.

The next chart may help clarify this. The next chart shows the whereabouts of children at the time they came under our supervision during the last fiscal

year. Now there were a total of 16,265 children who came under our supervision during the last fiscal year.

SENATOR MARAZITI: New children?

MR. HOLLENDER: New children that had never been known to us before.

SENATOR MARAZITI: In other words, during the last fiscal year 16,265 came under your jurisdiction.

MR. HOLLENDER: Well, applications for services were made to us and our district offices were asked to handle 16,265 applications to make a determination of what services were needed and what services could be provided. The whereabouts of these children at the time of the application gives a general idea of what kinds of children are coming in to us.

SENATOR MARAZITI: Now to clarify my mind, we acquired jurisdiction over the 16,265?

MR. HOLLENDER: Not all of the 16,000 came under supervision.

SENATOR MARAZITI: About how many did we take jurisdiction over during the last year, approximately?

MR. HOLLENDER: New cases coming under supervision? I would guess 12,000. I would guess. I don't have that figure right here.

SENATOR MARAZITI: Would you say it runs about that each year?

MR. HOLLENDER: Yes. Would you like to see the figures on the children that leave our supervision each

year? Two charts later we have the figures on the children who leave our supervision, who are discharged from guardianship.

Last year 9,536 children left our supervision, which gives you an idea of the general turnover.

Now our total caseload as of February 28, 1969, the starting point of that year, was 19,886 children. This means that 48% of those children left our supervision during the year, almost half left our supervision. And if you will look at the reasons - 3308 of these children left because they were going to be provided by an adequate home of their parents. And there are, you know, a variety of other reasons.

SENATOR MARAZITI: About how many left because of adoption?

MR. HOLLENDER: Adoption by non-relatives - total number of children that left our supervision because they were being adopted by an unrelated person is 768, but we have to remember that 389 of those were children who came to us under the adoption complaint investigation programs, so that means 367 of them were children who left our guardianship going to adoption during that particular year.

SENATOR MARAZITI: Well, to put it a different way, how many were adopted during that year by non-relatives and relatives total?

MR. HOLLENDER: 768 is the total number of children adopted by non-relatives who were involved with our agency.

SENATOR MARAZITI: In other words, 768 were adopted.

MR. HOLLENDER: Total children adopted.

SENATOR MARAZITI: Wait a minute. This is the total adopted, 768. I mean, why do you stress the non-relatives?

MR. HOLLENDER: There were other children adopted by relatives.

SENATOR MARAZITI: Well, that's all right. What's that figure?

MR. HOLLENDER: There were 46 of those. The total is 814, total number of children that left our supervision to adoption.

SENATOR MARAZITI: All right, 814.

MR. HOLLENDER: There are different things involved in here, adopted by relatives and --

SENATOR MARAZITI: Yes, I understand, right.

MR. HOLLENDER: 51 of the kids left because they died.

SENATOR MARAZITI: What I'm interested in basically is the adoption figures, although of course there are many related matters. So, for the last fiscal year would you say 814 were adopted, over which we had guardianship?

MR. HOLLENDER: That isn't a fiscal year, that's a made-up year. That's 3-1-69 to 2-28-70, because that's

the most recent year.

SENATOR MARAZITI: Right. It's a year, a 12 month period.

Now, we have in our jurisdiction in the guardianship category, where we have full rights over the child, 4,146. Now, I understand, Mr. Hollender, that of course this figure fluctuates from month to month to some minor extent.

MR. HOLLENDER: Right.

SENATOR MARAZITI: Now on this 4,146, from this group we have full right and full power to consent to adoption.

MR. HOLLENDER: Not all of them.

SENATOR MARAZITI: Not all of them?

MR. HOLLENDER: Not all that are under guardianship do we have the full right to consent. We did a sample of all of the children under guardianship and found that for about 10% we had temporary guardianship or an interlocutory order of guardianship. So this was guardianship subject to a further order.

SENATOR MARAZITI: This includes what you might say final guardianship and interlocutory or temporary guardianship that has not been perfected.

MR. HOLLENDER: Right.

SENATOR MARAZITI: And it might be or might not be, depending on each case. So 10%, that would leave

you - subtract about 400, about 3700 where we have full guardianship, full right to consent to adoption. Now, of this 3700, what is the breakdown? In other words, can all of these children be placed for adoption, the 3700? I understand not.

MR. HOLLENDER: No.

SENATOR MARAZITI: No. And there are different categories, is that correct?

MR. HOLLENDER: Right.

SENATOR MARAZITI: Give us generally the different categories and the approximate number of children in each category. We're talking now about 3700.

MR. HOLLENDER: Some of these children are with their own parents and should remain with their own parents. In our sample there were 8% of the children that fell in this category, so it's roughly another 300 children, something like that. About 12% already were in adoption homes, 12% of the children under guardianship that were already in adoption homes, so this is somewhere around 512 children, I think, somewhere around 500 children already in adoption placement. There was another 12% who were in institutions of various kinds, either delinquent institutions, institutions for the retarded, they were missing, or they were self-supporting. These kids would not be placed for adoption.

SENATOR MARAZITI: No, because there would be problems there, maybe prospective parents who would not be

willing to receive them. But some of these do not stay in the institutions permanently. Are they disciplinary institutions or --

MR. HOLLENDER: They are institutions for delinquency, like Annandale, New Lisbon, Woodbridge, State Hospitals, and you know, a good many of these kids are - well, some are self-supporting, they're out earning their own living. But children in this general category comprise about another 500 children. The bulk of the children were in foster homes.

SENATOR MARAZITI: The balance would be in a foster home?

MR. HOLLENDER: Right.

SENATOR MARAZITI: About 2400. Approximately 2400, would you say?

MR. HOLLENDER: Yes, approximately 2400 children would be in boarding homes.

SENATOR MARAZITI: Boarding homes. Now these 2400 would be capable of adoption, would they not?

MR. HOLLENDER: Well, I wouldn't say so.

SENATOR MARAZITI: Isn't that correct?

MR. HOLLENDER: Capable of adoption?

SENATOR MARAZITI: Well, let me say this, there are 2400 children in this category, in foster homes, in boarding homes. Could they be adopted, all conditions being proper. In other words, if you had adoptive parents? Is

there anything intrinsically existing that would prevent adoption?

MR. HOLLENDER: About half of the children in our sample --

SENATOR MARAZITI: No, I'm talking about legally, legally they could be adopted.

MR. HOLLENDER: Legally, yes.

SENATOR MARAZITI: But there may be other factors.

MR. HOLLENDER: Legally all of the children could be adopted.

SENATOR MARAZITI: The 2400.

MR. HOLLENDER: Well, all except the ones that we have temporary orders on.

SENATOR MARAZITI: Well, we took them out, the 400.

MR. HOLLENDER: Right.

SENATOR MARAZITI: So what I'm saying, technically and legally the 2400 could be adopted but there are other problems, perhaps.

MR. HOLLENDER: Right.

SENATOR MARAZITI: Suppose you tell me what the problems are. I'm talking about the 2400 group now.

MR. HOLLENDER: About half of these children have close contacts with their parents.

SENATOR MARAZITI: If those contact are so close to the parents, why don't the parents take them? We have legal guardianship, the court has decided that we have control, the full right to stand in the position of

loco parentis - I'm not criticizing you, I'm just asking this question - we have full guardianship, we have the full responsibility of support and they're close to their parents. If they are that close, perhaps the parents should adopt them. In other words, what is the problem with these 2400?

MR. HOLLENDER: There are various kinds of problems with the parents of these children. Some of them have a problem of alcoholism which is being worked on, and there is some reason to believe that they will be able to take care of the child later on.

SENATOR MARAZITI: You mean alcoholism in the parent?

MR. HOLLENDER: In the parent.

SENATOR MARAZITI: But, Mr. Hollender, as I understand it, these 2400, we have full guardianship.

MR. HOLLENDER: That's right.

SENATOR MARAZITI: And the parents later on might be able to be in a position where they could, if they wished to, adopt their own child. Theoretically, I suppose that could be done. There may have been cases where it was done, I don't know. Maybe you could release your guardianship but I don't know if you can do that.

MR. HOLLENDER: Yes.

SENATOR MARAZITI: But where we have guardianship, what do you think of the idea of having these 2400 children adopted?

MR. HOLLENDER: I don't like the idea of 2400 being adopted if 2400 children can be returned to their parents within a reasonable amount of time.

SENATOR MARAZITI: I see what you mean.

MR. HOLLENDER: Given the choice between adoption and return to their own parents, by statute we must return to the parents.

SENATOR MARAZITI: Within how much time?

MR. HOLLENDER: There is no time limit. You know the public policy as written in our law indicates that the first goal is to rehabilitate the child's own family.

SENATOR MARAZITI: Is this the case after guardianship, full guardianship, after we've severed the rights of the parents in court? In other words, after we sever the rights of the parent in court and we have the full guardianship powers, we still have a policy where if we can we return the child to the parent. Now this would be - there's no time limit, you say, but there would be a reasonable time.

MR. HOLLENDER: The rule of reason.

SENATOR MARAZITI: Then you decide to return - I'm not being critical, Mr. Hollender. I want you to understand that. These questions occur to me and I appreciate your thinking on it. Assume that we have guardianship of a child and you decide that you wish to return the child to the parent, how do you go about it legally?

MR. HOLLENDER: Well our guardianship gives us the right to place the child anywhere we want to.

SENATOR MARAZITI: You can place it with the parent.

MR. HOLLENDER: Place it with the parent.

SENATOR MARAZITI: I'm not talking about foster care now, I'm talking about surrendering this child back to the parent. How do you do it?

MR. HOLLENDER: The law provides that we can relinquish our guardianship anytime we want to.

SENATOR MARAZITI: You can relinquish to the parent without the parent going through the adoption procedure.

MR. HOLLENDER: We have done this.

SENATOR MARAZITI: I understand.

MR. HOLLENDER: Now, some of the reasons why we would get guardianship may play into this. It may be that the parent at the time had such a problem that they can't think about the need of the child and we will want to place the child and they will absolutely object to this. Then we would go in and ask for guardianship in order that we could protect the child from the sick parent.

SENATOR MARAZITI: Well, can't you protect the child from the parent by having mere custody and not the full guardianship? In other words, the guardianship, as I understand, you sever legal rights between the parent and

the child. Do you have to go that far to protect the child? You can take the child from the parent and have custody without having the legal title, so to speak.

MR. HOLLENDER: You're suggesting something less than guardianship to give us control of the child. We haven't been using this.

SENATOR MARAZITI: No, but how do you have control of the other 20,000?

MR. HOLLENDER: Basically we don't. The fourteen thousand and something in our care program, anytime the parent says, I demand my child back I don't want your services anymore, that child can go back unless we go into court and get guardianship.

SENATOR MARAZITI: Then we have the 4,000 here, and that's 18,000, roughly, about 8,000 that we don't have guardianship on, eight or nine thousand that we have that we don't have guardianship on.

MR. HOLLENDER: There's much more than that that we don't have guardianship on.

SENATOR MARAZITI: Much more?

MR. HOLLENDER: Yes.

SENATOR MARAZITI: I know. I mean aside from the 14,000.

MR. HOLLENDER: Of the 26,000 it would only be, you know, 4,000, so it's 22,000, roughly, that we have no --

SENATOR MARAZITI: But many of these are not in the homes of the families.

MR. HOLLENDER: Right.

SENATOR MARAZITI: So we have about 10,000 children that are not in the homes of the parents. Right?

MR. HOLLENDER: Right. Well, there are almost 10,000 children who are in foster care, in boarding placement.

SENATOR MARAZITI: Right. That's the figure I wanted. I get this from your letter. There are about 10,000 where we have foster care.

MR. HOLLENDER: Right.

SENATOR MARAZITI: Now, these 10,000 we don't have guardianship on.

MR. HOLLENDER: Well some of those are children that are in the guardianship program.

SENATOR MARAZITI: All right, how many, 8,000? Here's why I say that, an additional 8,841 were being cared for in boarding foster homes as of that date.

MR. HOLLENDER: I would guess around 2400 of those are under guardianship. The rest would not be.

SENATOR MARAZITI: 2400 of the 10,000. So about 7600 we do not have guardianship of and they are in foster homes, and we have acquired this jurisdiction how?

MR. HOLLENDER: The parent or the guardian of the child has either asked us for the service, temporarily, or has agreed to receive this kind of service.

SENATOR MARAZITI: And also by court procedure, right?

MR. HOLLENDER: No, no court procedure whatsoever.

SENATOR MARAZITI: In other words, you receive children --

MR. HOLLENDER: This is an agreement between whoever is caring for the child and our agency.

SENATOR MARAZITI: Well don't you have court procedure to acquire children, to protect the children, let's say, or perhaps a court order, if you have jurisdiction, without the full guardianship?

MR. HOLLENDER: Yes. That's the Protective Services Program and that's a little over 1,000 children. This program is a program of service in the child's own home - well, there may be one or two children in placement - basically none of these children are in foster care or in placement of any kind.

SENATOR MARAZITI: Right. This is 14,000 that we are talking about.

MR. HOLLENDER: This is the Protective Services Program which is --

SENATOR MARAZITI: Protective Services? Oh, that's the 1876. The Protective Services is 1876?

MR. HOLLENDER: We'll go back to the first chart.

SENATOR MARAZITI: This is not too important. The Care Program is 14,000.

MR. HOLLENDER: Right.

SENATOR MARAZITI: These are the ones that are in their own homes.

MR. HOLLENDER: They're both in their own home and in foster care. Now, about 14,000 - I would guess about half of these are in their own homes, the other 7,000, roughly, - about 7600, I guess, of these would be in foster care, the rest would be in their own homes, in the care program.

SENATOR MARAZITI: Are you getting figures from the 14,000?

MR. HOLLENDER: The 14,000 who are in the Care Program - I'm guessing now, 7600 of them would be in foster care, which would mean 6400 would be with their own families or with relatives or some in institutional placement.

SENATOR MARAZITI: On this 2400, where you want to allow reasonable time to go by so you can decide whether to relinquish guardianship to the parent, is there any general rule that your Department has about how long you should wait? In other words, well, if you had a child, say for five years, under guardianship and you have not come to a determination to relinquish that child to the parent, the guardianship to the parent, would you say that then it goes into an adoption category?

MR. HOLLENDER: Not automatically. There are some children that have been in foster care for many years.

SENATOR MARAZITI: I'm trying to get what the policy is. Say a case of 15 years. If a parent is not

interested --

MR. HOLLENDER: We don't have any hard and fast rules, you know, they have this much time and that's all. The policy is that - well, the common professional practice is to set time limits, short time limits, for parents and give them goals to accomplish within those short time limits. If the problem, for example, happens to be alcoholism and we think, you know, their first problem is to deal with the drinking and to stop drinking, we may set a goal with the parent - get involved with Alcoholics Anonymous or whatever method you think will work for you but stop drinking within a certain amount of time; find adequate housing within a certain amount of time; deal with your source of income within a certain amount of time. Now these all, in common professional practice, should be dealt with with the parent in terms of a time limit for them.

SENATOR MARAZITI: Well, let's take an example, say 10 years you've had the problem of alcoholism with the parent, would you continue say 11 or 12 years?

MR. HOLLENDER: If the parent has been struggling with the problem after they've gotten help, with the problem of alcoholism for a couple of years and has made no progress toward overcoming it, then this is obviously a child that other plans should be made for.

SENATOR MARAZITI: Yes, this is what I'm getting at. Now can you tell us a number of cases, and you may not

have them here, - what the period ranges from,

MR. HOLLENDER: I did get some information on the average length of placement of children under guardianship.

SENATOR MARAZITI: The average length of placement of children under guardianship?

MR. HOLLENDER: Yes. The children under our guardianship program - 22% of them have been under our supervision for a year or less; 22% of all the children; 41% of all of the children have been under our supervision two years or less, or under two years; 65% of the children under our guardianship have been under supervision for under three years; 77.9, almost 80% of the kids have been under our supervision, our jurisdiction for less than four years; 90% have been under supervision for less than six years. So there are very few children who have been under our care for this extended period of time.

SENATOR MARAZITI: Well, 90% --

MR. HOLLENDER: Have been under our jurisdiction --

SENATOR MARAZITI: It's the other way around, isn't it?

MR. HOLLENDER: No. They've been under our supervision for less than six years. Some of them have been under supervision for a couple of months and some of them for up to 5 years, 6 months.

SENATOR MARAZITI: Well, see if I have this?

In other words, 90% have been under supervision for six years or less.

MR. HOLLENDER: Right.

SENATOR MARAZITI: That would be 90% --

MR. HOLLENDER: Under six years, none have been under supervision for six years.

SENATOR MARAZITI: Right. But say roughly, 90% of 2400 --

MR. HOLLENDER: Of the total of 4147.

SENATOR MARAZITI: In other words, about 3600 have been under supervision for six years or less.

MR. HOLLENDER: Right. 3,735 children have been under supervision less than six years.

SENATOR MARAZITI: I say, approximately 6 years.

MR. HOLLENDER: Yes. Well, six years or less.

SENATOR MARAZITI: Five or six years.

MR. HOLLENDER: From zero to six.

SENATOR MARAZITI: Oh, from zero to six. I'll put it this way, about how many have been under supervision for six years?

MR. HOLLENDER: Between five and six years there were 190 children who were under supervision between five and six years.

SENATOR MARAZITI: I see the way you have it. Five and six years, 190. And there are none over six, apparently?

MR. HOLLENDER: Yes, 10% have been under supervision

six years or more.

SENATOR MARAZITI: 10% is how many? That would be 440? 10% of the 4,146.

MR. HOLLENDER: 412 children have been under supervision of the Agency for six years or more.

SENATOR MARAZITI: 412.

MR. HOLLENDER: Of the total 4146.

SENATOR MARAZITI: And any more than six years?

MR. HOLLENDER: Well there were 103 who have been under supervision ten years or more. Of that total 412, 103 of them have been under supervision ten years or more.

SENATOR MARAZITI: Oh, I see what you mean. Let's go up the ladder. Any more?

MR. HOLLENDER: If you want them by year, I can give it to you except for ten or over.

SENATOR MARAZITI: All right, ten or over.

MR. HOLLENDER: Ten or over is 103. Nine to ten years --

SENATOR MARAZITI: Are there any over ten?

MR. HOLLENDER: Yes, there are some.

SENATOR MARAZITI: Oh, ten or over, that could be 12 or 13 or 14 years, couldn't it?

MR. HOLLENDER: Oh, yes. There are some that have been under our supervision --

SENATOR MARAZITI: On these 130, don't you think it's time if the parents want them they should take them back or you could place them for adoption, that 103?

MR. HOLLENDER: Let me tell you a little bit about some of these children. One of them is a 17 year old who is in Totowa and who comes in and out of Totowa. We have guardianship over her and we arrange for her ---

SENATOR MARAZITI: Well, let's save a little time. How many of the 103 could be adopted? In other words, they don't have the problems of being in an institution and don't have any other basic problem? How many of the 103 could be adopted except for the fact that we may be waiting for the parents to take them?

MR. HOLLENDER: Let me tell you about another kind of situation that we ran across. There is one child who has been in guardianship for a number of years and has been in the same foster home for all of those years and has two other siblings in the same foster home.

SENATOR MARAZITI: I know there are good reasons why some of the 103 can't be but can you tell me how many of the 103 - 75, 50, 60, if you know, if you don't know, we understand.

MR. HOLLENDER: I don't know how many specifically of these 103 would be appropriate to place for adoption. Most of these kids have developed a relationship with foster parents that isn't going to be torn apart.

SENATOR MARAZITI: Why don't the foster parents adopt them?

MR. HOLLENDER: They have a variety of reasons. One of them is, this family that I was mentioning, there

are three children altogether in the home; they have their own children; they can't afford to adopt all three and don't want to adopt one without adopting the other two. They don't want to take on the financial responsibility for all three kids in addition to their own. In other words, they feel they need continued board from us. These are the kinds of situations that some other states call quasi adoption. We are clear that this is their home, this foster home is their home. The board payment that we give is not going to stop for these children because there is no better place for them. To take them out of here and put them into a strange home for adoption is going to cause all kinds of problems, not only for the kids but everybody else.

SENATOR MARAZITI: Well, would it be a solution that when these children are placed they are placed in a foster home and then they should be processed rather rapidly for adoption so that we don't have this kind of a situation? What would be the solution to a problem of this type? It looks like we have 2400 children here, some of whom may be relinquished to the parents and some of whom may not. On that point are you able to give us an idea of about how many have been relinquished to parents during the last year or two years or three years?

MR. HOLLENDER: How many were relinquished to parents?

SENATOR MARAZITI: Yes, an approximate number, if you are able to do this.

Now I'm talking about - let's concentrate on this 4,000 group, specifically 2400, so that we don't get figures that are not applicable. You see what I'm trying to get at, we have 2400 children here that we have legal guardianship over and apparently the State of New Jersey is supporting them in foster homes and they could be adopted.

MR. HOLLENDER: You say, could be adopted, --

SENATOR MARAZITI: Legally and technically. The question is why? One good reason is they should be returned to the parents. I want to know how many have been returned, where the parents are interested enough to have them. If they are, fine; if not, perhaps something else should be done.

MR. HOLLENDER: During that past year 70 of those were returned to parents.

SENATOR MARAZITI: Of the 2400.

MR. HOLLENDER: Of the 4147, total of 4147.

SENATOR MARAZITI: All right, now that would be of the 2400 -

MR. HOLLENDER: Discharged to their parents.

SENATOR MARAZITI: How many is that?

MR. HOLLENDER: Only 70.

SENATOR MARAZITI: 70 of the 4100, that would be, roughly, 40 of the 2400 group, if you took an average. We're talking about the 2400 group now because for the rest there may be good reasons why they could not be placed for adoption. So 40 out of 2400. That is not a large group, is it?

MR. HOLLENDER: No, it's not.

SENATOR MARAZITI: It's a very small percentage. So the reason for not placing them out for adoption is not very substantial because you're going to hold 2400 children and of that 2400 only 40 to be returned to the parents and the rest not given permanent homes and supported at the expense of the State.

MR. HOLLENDER: You're talking about the 2400 who are in foster care.

SENATOR MARAZITI: Foster care, over which we have full guardianship, over which we could consent to adoption.

MR. HOLLENDER: Yes. I think there is one other variable that we ought to talk about too and that's the racial characteristics of these children.

SENATOR MARAZITI: All right, I know there are other reasons but one reason is that we want to give the parents an opportunity to restore their rights to the child if they are able, and a reasonable time, and I concur, should be allowed to determine this.

MR. HOLLENDER: Right.

SENATOR MARAZITI: Now, it seems to me at this point we should consider - and I would like to have your advice, not at this time because you might like to think it over, - whether the Legislature should establish or whether your Bureau should establish by rule a time limit. It would seem to me a time limit would be desirable, just what, I don't know, whether it should be one year, two years, it seems to me that this is something that could be applied in particular cases. And if you would, I wonder if you would consult with Mr. Moore and perhaps check other states to determine what they do about this type of situation - after we acquire guardianship is it good legislative policy to fix a limit, six months, a year or two, whatever it is, beyond which we will no longer wait for the parent and we will think primarily of the welfare of the child, because I don't think it's reasonable to wait five, six or seven years, to determine whether or not we are going to worry about the parent's inclination because the parent's rights have been severed as far as the court is concerned and as far as their rights are concerned, so apparently they have no rights. So how long should we wait? It seems to me that we should consider, do we want to establish, by rule of your Bureau or by legislative edict, a limit; or don't we want any. Well, when we don't have any, I think the policy is you don't wait at all. I think that is the policy. Now I don't know whether this policy you talk about is something that just developed or whether it's enunciated by the Bureau.

How did this policy develop of letting the parents have another second try?

MR. HOLLENDER: How? This has just evolved out of what we consider good professional practice and out of our interpretation - well, regardless of the interpretation of public policy, we consider it good professional practice to have children with their parents wherever this is possible.

SENATOR MARAZITI: Mr. Hollender, this hasn't worked out, 40 out of 2400. So we find that most of these 2400 children are neither here nor there, and wouldn't it be better for the welfare of the child to have them in a permanent home?

MR. HOLLENDER: It has worked out for the 40, and this is what's important, I think. I don't think we can sacrifice the 40, and as a professional social worker I wouldn't sacrifice the 40. This is why my immediate reaction to an inflexible rule that says you've got this long and no longer is a negative one.

SENATOR MARAZITI: Hasn't the court decided that? Hasn't the court decided that when you take away guardianship you no longer have rights over the child because if there were some facts in the case or some justice in this type of policy the court might say, I won't sever rights now, we'll wait another six months, come back and see what happens?

MR. HOLLENDER: Well, I think the trend of the court now has been, as we've experienced it, that the courts are less and less prone to give us guardianship simply for this reason, they feel that they're giving us too much power over the rights of the parents, you know, they're taking away all the rights of the parents and giving us the right to place for adoption, when they don't see the family situation as being this bad. So the tendency has been to give us fewer and fewer guardianships.

SENATOR MARAZITI: Well, I do agree that the 40 have benefited but 2360 may not have been hurt tremendously, probably not, but they have been delayed in finding permanent homes. But I can see your rationale behind your thinking, but I would like you to examine other jurisdictions to see what they do about the problem.

MR. HOLLENDER: Yes, we will be examining the other jurisdictions. I would like to say, undoubtedly in this group there are some children on whom we delay to long. And I think it would be a good idea for us, and I'm sure we will, to take a good look at - now that this kind of focus has been given to it - what we have done for each and every one of these children. And it is entirely possible that we've made some mistakes along the way.

SENATOR MARAZITI: My purpose is not to criticize because I say this, Director, you have taken over a function and you've carried on the policy as you've found it and I think this is a justifiable position that you would continue what you have found. So I want to make that very clear. I am asking these questions to see what can come out of this situation that might be good or better, we'll put it this way, for the child and for the taxpayers.

About how much would you estimate it costs to support, for a period of one year, say one of these children in this group, the 2400? I know that is a rather vague figure, but an approximate cost.

MR. HOLLENDER: If you're talking about maintenance cost --

SENATOR MARAZITI: I'm talking about the total cost, if you can pinpoint it to a child. I don't necessarily mean the administrative costs of the Department because we've got to have that anyhow. The more children the more it costs but basically you are going to have the same costs. What are the costs except the administrative costs?

MR. HOLLENDER: The basic rate would be \$100 a month, plus clothing and medical expenses. It would run somewhere around \$1400 or \$1500.

SENATOR MARAZITI: I've heard that figure, \$1400 or \$1500. And I think in one of your releases, I am not

sure about this, the figure of \$1500 was used.

MR. HOLLENDER: Right.

SENATOR MARAZITI: Now this would be what you call a maintenance cost?

MR. HOLLENDER: That's right.

SENATOR MARAZITI: And this maintenance cost does not include the proportional cost of the caseworker?

MR. HOLLENDER: No, it doesn't include the administrative costs, salaries --

SENATOR MARAZITI: If you were able to apportion the administrative costs, I think this would be difficult, could you set a figure? Consider you have 26,000 children, figure your administrative costs, is there some figure - that, of course, would be a sliding figure because you would always have to have administration even if you only had 50 children.

MR. HOLLENDER: To divide the whole thing, I would guess it would be another \$1,000.

SENATOR MARAZITI: In other words, it could be \$2500 if you divide the whole thing. There have been figures of \$2,000, so \$2,000 is not too far off.

MR. HOLLENDER: \$2,000 is a conservative figure.

SENATOR MARAZITI: All right. What I'm saying here is - I'm thinking of the welfare of the children - is it good to have them in the homes as quickly as possible, plus is it good to save \$2500 or \$2,000, times 2400? Whoever is good at mathematics can figure it out.

I know the situation on the 2400 and I know that there are a large number of children of this 26,000, a large number of them, perhaps half or more than half, that are living with their parents and we have not guardianship but certain responsibilities and we are helping by various services and programs. I'm not interested in that. I'm interested now in these children that we have, not in that group, over which we can acquire guardianship. In other words, would you call them children in our custody, to distinguish from guardianship?

MR. HOLLENDER: Well, any of the children there we could go in and petition guardianship for.

SENATOR MARAZITI: But not the 12,000 that are with the families.

MR. HOLLENDER: Okeh.

SENATOR MARAZITI: You could?

MR. HOLLENDER: We could. Most of them we would have a hard time justifying but it would be possible for us to go in and petition for guardianship for any child.

SENATOR MARAZITI: How do children come to your Bureau? How do you acquire jurisdiction over them? I don't mean guardianship. But here's a group, 8,841 - this is in your letter to me of March 26, second paragraph, 8,841 were being cared for in boarding foster homes as of that date.

MR. HOLLENDER: Right.

SENATOR MARAZITI: While another 220 were in foster homes where no board was paid. So you have a total there of about 9,060 children.

MR. HOLLENDER: Right.

SENATOR MARAZITI: Roughly, about 9,000 children.

MR. HOLLENDER: Right.

SENATOR MARAZITI: Now these children - you know the group I'm referring to? They're in foster homes and how did we come by these children?

MR. HOLLENDER: Some of these were referred to us by schools, some by the parents themselves. The bulk come from parents, from public agencies, other public agencies, from the courts. Some, the children themselves came to us asking for service. They come from private agencies referring them to us. They come from a variety of other ways. But the bulk come from the parents themselves asking for help.

SENATOR MARAZITI: When they ask for help, they give you the child.

MR. HOLLENDER: They come and say, we've got a big problem with this child, we want you to help us, and we can't care for him anymore.

SENATOR MARAZITI: Do they sign anything?

MR. HOLLENDER: Yes, they sign an application for services, asking us to place their child for them and this is what they want. If we agree that this is a service that is needed, then they also sign a statement saying that

they understand that the child is being placed out of their home and that they are in agreement with this.

SENATOR MARAZITI: Now we have here, roughly, about 9,000 of these children, it might be 9500 or 10,000 but we'll say 9,000. Now of these 9,000, some we may have for several weeks, some for several months. Now is it possible for you to give us an idea - I didn't ask you for this so I wouldn't be surprised if you don't have it - about how long we've had some of these? Have we had them for two or three years?

MR. HOLLENDER: No, but this over here (indicating) gives you an idea of how long we've had them. 54% of the children in our Care Program were terminated during this interval.

SENATOR MARAZITI: This 9,000 that's in the Care Program - are they in the Care Program?

MR. HOLLENDER: The 9,000 are both in the Care Program and the Guardianship Program.

SENATOR MARAZITI: No, this 9,000 we're talking of here.

MR. HOLLENDER: That's both care and guardianship.

SENATOR MARAZITI: Of the 9,000 --

MR. HOLLENDER: I can give you a breakdown by program, too, if you would like.

SENATOR MARAZITI: No, these programs confuse me. You know what I'm driving at? Maybe you can get it

for me. I want to know how many children we have - I have an idea 10,000 - how many children we have custody over which we can acquire guardianship and why haven't we? If not ten, then nine, eight, four or two thousand. I have an idea that we've had custody for four or five years of some children and we haven't had guardianship. If we haven't got guardianship, why do we have custody for so many years? There is something in this picture that doesn't fit. Now do you see what I'm getting at? Now the programs confuse me. All I know is that we have about 12,000 children living with their parents. We have about 4,000 children over which there is guardianship. That's 16,000. And there are about 10,000 that are living in foster homes, different from these categories I mentioned, and I don't care what programs or services they are receiving, and some are in institutions, and so on, but not many. Now there are 10,000. These 10,000 either, parent take care of your child, if you can't or won't and we've had them for three or four years, perfect our guardianship and place these children for adoption. Now am I saying the right thing or am I not?

MR. HOLLENDER: I think I understand the kind of information you want. I don't think I can give you specific information on this today but I think, you know, if you want to, yourself, or some of your staff to sit down with us, we can draw up a study of these children who are in boarding placement and get some good ideas of

the answers.

SENATOR MARAZITI: Right. What I am looking for, I believe there is a group of children - I'm not interested in the children living with their parents over which we don't have guardianship because I believe that the parents should retain control of their children and have guardianship where possible. Although, if they're living with their parents this is another category and we don't have guardianship and we're supporting them for six or seven or eight years, there is something wrong there too. In other words, I would like to have the breakdown on the time element now, which I did not ask for previously. Take this group that I call 10,000, and I probably am off several thousand, but it's the 10,000 figure that I am talking about.

MR. HOLLENDER: It's as good a figure as any.

SENATOR MARAZITI: In this group I would like to know how long we've had some of these children because I hear some are sixteen and seventeen years old.

MR. HOLLENDER: That's right, some are.

SENATOR MARAZITI: And there may be problems there. How long have we had them in our custody and how long then too should we wait before we apply for guardianship? Now that's another time factor. In the other place we had guardianship, how long do we wait before we turn it back? I'm inclined to think we shouldn't wait at all.

MR. HOLLENDER: Some of these kids come to us at age 15.

SENATOR MARAZITI: Pardon?

MR. HOLLENDER: An awful lot of these kids come to us at age 15 and go into a foster home.

SENATOR MARAZITI: All right, let's have figures on ages, if we can, and length of time with us. Now the reason I would like to have this is, we can't do anything about what has already existed but it will assist us in formulating policy as to what we should do with this group that I call the 10,000 group. In other words, I will say, if we've only had them for a month or two, that doesn't mean that we should apply for guardianship; but if we've had 1,000 for three years, maybe we should apply for guardianship, or we could say to the parents, can you take care of these, if they can, fine, if they can't, why not? Do you need financial help? Financial help can be arranged through other programs in the State. It doesn't mean the Bureau of Children Services must be in it, if it's financial. Is that right?

MR. HOLLENDER: That's right.

SENATOR MARAZITI: But if it's something beside financial, they don't want the child or it's not a proper home, then maybe for the benefit of the child we should acquire guardianship. Do you get my thinking?

MR. HOLLENDER: Yes.

SENATOR MARAZITI: Now would you say also the cost there runs along the same lines as the cost you gave us in this other group? The costs are basically the same? The cost of --

MR. HOLLENDER: Of children in foster care.

SENATOR MARAZITI: Maintenance costs.

MR. HOLLENDER: Yes, the maintenance cost of all of the children in foster homes is basically the same. There are a few children that we pay extra board for because of the care they are receiving, but this is a small percentage.

SENATOR MARAZITI: Now you started to develop a point and I interrupted you - that's my favorite pastime but I certainly think it was an important point that you started to develop. There are some questions here as to whether or not there would be parents, a couple, that would be interested in adopting. There may be a problem that in some instances we cannot find the homes for some of these children over which we have guardianship in the 2400 group, let's say, the ones we have now. We have 2400 and perhaps some of these children cannot be placed for adoption because there would be no home to receive them. Maybe you can tell us about that and you might have a suggestion.

MR. HOLLENDER: As I think you were referring to, I was beginning to talk about the racial characteristics of the children who are under our supervision.

SENATOR MARAZITI: That's right.

MR. HOLLENDER: And approximately half, maybe a slight number over half of the children under our supervision in these kind of placements are Negro children.

We have been, as well as a great many other agencies throughout the country, attempting to increase the number of families who will accept Negro children for adoption. We haven't, and we don't know anyone else who has, been able to come close to finding enough couples for the number of children who need this kind of placement.

SENATOR MARAZITI: This has been difficult, hasn't it?

MR. HOLLENDER: There aren't enough couples around who will take the Negro children. I have a feeling that we are seeing a trend now toward - and I hope we're seeing a trend - an increase in number of families coming forth who will take the interracial child.

SENATOR MARAZITI: We have been able to place some Negro children, haven't we?

MR. HOLLENDER: Yes.

SENATOR MARAZITI: But not as many as you would like to. Is that it?

MR. HOLLENDER: Right. Our Agency and some of the private agencies have been making what I consider

good strides in this direction, as I compare our efforts with the efforts of other states.

SENATOR MARAZITI: Now, do you have any recommendation to make in this regard that would help us, because I'm certain that in the State we have many fine couple of all races that would be very happy to, if they could do it, adopt children. I'm wondering if there is anything that you can recommend that can be done in this area or is it something that you just don't know about?

MR. HOLLENDER: Well, what we would like to have is more resources to do the job with. This is pretty obvious. For our own agency, we would like to have more staff and more staff training.

SENATOR MARAZITI: Now, would that help, do you think, in placing Negro children, for example?

MR. HOLLENDER: Yes, absolutely. I think if we had staff who could be turned loose exclusively on developing adoption of these children, we could improve. Now I haven't found anyone who has been able to meet the needs, so we're talking about closing the gap.

SENATOR MARAZITI: Would you, at your convenience in the near future, let me have some information on about how much staff and how many caseworkers and so on you have in this category now, about how many work in this area of placing Negro children and how many you would recommend we have to speed up the program. You don't have to do it at this point.

MR. HOLLENDER: I can say we have no staff in the district offices who are exclusively working in this area. They all have additional responsibilities.

SENATOR MARAZITI: Do you think they have to be exclusively working or don't you think --

MR. HOLLENDER: Well, primarily in this area.

SENATOR MARAZITI: Well, your idea is that you would have to have a special type of caseworker here or have them work primarily in this area?

MR. HOLLENDER: Well I'm suggesting, if they're working with a Protective Services family where the child has recently been abused and they are trying to overcome the problems here, it sometimes will interfere with their working out the necessary steps in getting the child who isn't causing any problems, or the infant who isn't causing any problem into an adoption home as quickly as they should.

SENATOR MARAZITI: In other words, you have some suggestions that you think will help in this area. Let us have those because we're interested in this.

MR. HOLLENDER: Okeh.

SENATOR MARAZITI: I've heard of situations where some couples have custody of a child, foster home, they've had custody four or five years and everything is fine except that they have a child already and they feel if they adopt this child, this child has a handicap of some type or an ailment that requires medical treatment

that might run \$25.00 a week or \$18.00 a week and they feel that if they adopt the child then they have that responsibility and they can't afford it and, therefore, they don't adopt but they would adopt if there were a program where the State would contribute toward the expenses after adoption. I understand the State of New York has this type of situation. We don't have it, apparently. Once there is adoption the full responsibility is with the parents. Are there many of these cases that I talk about?

MR. HOLLENDER: Well, this is one of the problems. You talk about subsidized adoption. We don't know the extent of the problem. We have initiated some steps - first, to gather information on the extent of the problem and to explore what would be desirable in New Jersey in the area of subsidized adoption. We have gotten information from New York and from the other states who do have subsidized adoption programs. We would like to get a lot more information and the supervisor of our adoption unit has involved some of the adoptive parent groups, or has asked them, to provide some volunteers who could seek out information in this area.

SENATOR MARAZITI: Would you consult with or work with Mr. Carl Moore in this regard. I would like to have recommendations in this area.

MR. HOLLENDER: Good.

SENATOR MARAZITI: I'm concerned primarily

about subsidized adoption insofar as it refers to subsidizing in the area of medical expenses, not subsidizing in the area of paying the expenses of a normal child.

MR. HOLLENDER: Okeh. We want the total facts so that you can evaluate it.

SENATOR MARAZITI: The total and your recommendations.

And also I've heard about situations where a child has been in a foster home for four or five years and the foster parent would like to adopt and they can't. Now this might be due to some special circumstances which probably are warranted or they may not be warranted. But what is that problem? Is it because we don't have legal guardianship? Is that part of it? Or the home is not suitable? This is a problem that I've heard about.

MR. HOLLENDER: Well there are some children that foster children can't adopt because we don't have guardianship and can't get it. I can think of a couple of situations where we would have liked the foster parents to adopt if we could have legally freed the child but the court would not give us guardianship.

SENATOR MARAZITI: Yes. Well this is another situation which I think we've got to look into also, where you have the case of a child being with a foster parent for four or five years and we can't get guardianship - and

I concur with your position, I imagine there are cases where we can't get guardianship. Then there is something wrong there too, not with the Bureau but something wrong with the law that we have custody of a child for four or five years and we place that child in a home where it receives loving care and we are not able to perfect the situation.

Now if you could think of a recommendation there, let us have it too. Perhaps we need legislation where we can strengthen our right to acquire guardianship. It seems to me if we have a child for four or five years we ought to have guardianship because apparently the parents don't want that child. It's ridiculous to have this go on until the child is 18 is emancipated and it has not grown up - in most cases I imagine they do get love, care and attention, but it would be better all the way round if they did become the legal child of the couple.

Now as to these foster homes, is there a set amount that is paid per week or per month per child or does that vary?

MR. HOLLENDER: The basic board rate is \$100 a month.

SENATOR MARAZITI: The board rate is \$100 a month.

MR. HOLLENDER: To the foster parents. In

addition we pay an allowance for clothing and it varies, based on the age of the child, and we provide medical care for the child.

SENATOR MARAZITI: How many are permitted in a home? How many foster children in a home?

MR. HOLLENDER: Well, we would -

SENATOR MARAZITI: A family. When I say "home" I mean a couple.

MR. HOLLENDER: Our policy says if there are more than five, total children, in the home then special approval has to be gotten. This would include the family's own children as well as foster children.

SENATOR MARAZITI: This is a total of five. No more than a total of five.

MR. HOLLENDER: A total of five children unless there is special approval. Some families can handle more than five, some families can handle twelve.

SENATOR MARAZITI: And the State does not have a home, so to speak, of the old type children's home.

MR. HOLLENDER: Institutions type? We don't.

SENATOR MARAZITI: No, we don't have that. Well, our children are placed in private homes --

MR. HOLLENDER: Or we purchase institutional care from ongoing facilities or use --

SENATOR MARAZITI: What is institutional care? You say you purchase institutional care.

MR. HOLLENDER: We purchase care from ongoing

residential placements like Bonnie Brae, Camden Home for Children, Union Industrial Home.

SENATOR MARAZITI: Now, Bonnie Brae. Now there would be, for example, in Bonnie Brae and these institutional facilities - how many children would we have there? Oh, this would be for normal children?

MR. HOLLENDER: These would be for children who need residential care, who need more than the family home care.

SENATOR MARAZITI: Right.

MR. HOLLENDER: We have approximately 800 or 900 children for whom we are purchasing residential care.

SENATOR MARAZITI: This residential care means some special type of care.

MR. HOLLENDER: Right.

SENATOR MARAZITI: We're not putting them there because we have no other place to put them, we're putting them there because they need special care.

MR. HOLLENDER: Right. Special care, special attention. Well, they can't survive in the community in a family situation.

SENATOR MARAZITI: I would appreciate it if you would let us have, not at this time but when convenient, a breakdown of the Department, that is, the entire personnel.

MR. HOLLENDER: Organizational.

SENATOR MARAZITI: Yourself and how many caseworkers and so on, the entire staff of personnel.

MR. HOLLENDER: These are easily available.
Just by title, classification?

SENATOR MARAZITI: That's all.

Now some children are placed in foster homes
for foster care and some are placed in homes for
adoption.

MR. HOLLENDER: Yes.

SENATOR MARAZITI: Now, when they're placed in
a home for adoption, what is the period of time you must
wait before adoption can be started, before the couple
can start the adoption?

MR. HOLLENDER: The child must be in the home
for six months to a year.

SENATOR MARAZITI: Now are you able to give us
a figure of what it runs, does it run one, two, three
years? Do you have this problem or do they move along
rather quickly?

MR. HOLLENDER: My impression is it moves
along rather quickly unless there happens to be a
problem.

SENATOR MARAZITI: Now when they're placed in
a home for adoption, the adoptive parents do not receive
compensation for that child.

MR. HOLLENDER: No. Every now and then there is
a special situation where -

SENATOR MARAZITI: That I understand.

MR. HOLLENDER: - the child is in the middle of

orthodontics or something like this and we might complete it.

SENATOR MARAZITI: I know. But you don't think there are any situations where they are in a home for two or three years before the adoption is perfected. You don't have many cases like that.

MR. HOLLENDER: Not very many. There may be some.

SENATOR MARAZITI: The guardianship proceedings, of course, require appearances in court and legal services and so on, and this is time consuming. How is the legal work done for your Bureau? Do you have sufficient personnel? Is this a problem?

MR. HOLLENDER: Yes, this is a problem. We don't have enough legal help.

SENATOR MARAZITI: Do you have a legal staff assigned to you or do you have a Deputy Attorney General? How does it work?

MR. HOLLENDER: We have one Attorney.

SENATOR MARAZITI: One Attorney assigned to the Bureau.

MR. HOLLENDER: Assigned to the Bureau.

SENATOR MARAZITI: Full time?

MR. HOLLENDER: Yes.

SENATOR MARAZITI: And, as I take it, it is his job to perfect the guardianship procedures.

MR. HOLLENDER: Right.

SENATOR MARAZITI: That's his work, is that right?

MR. HOLLENDER: That, plus a number of other legal problems, like accidents, settlements for children, and all these kinds of things.

SENATOR MARAZITI: Now I would like you to, if you will, consider in a recommendation if you think it will assist your Bureau if you put on a crash program to acquire guardianship of X number, part of the 10,000 I'm talking about or five or six, - if this is one of the problems, consult with your Attorney - by the way, is he here today?

MR. HOLLENDER: No.

SENATOR MARAZITI: Consult with him and ask him how many lawyers you would need to institute proceedings on guardianship in all the cases where you have made a decision to do it. In other words, if you can make a decision to process 2,000 cases, how many lawyers do you need. This is rather a vague question but what I'm thinking of is this - if you come to the conclusion that you may be able to acquire guardianship over a portion of this 10,000, whether it's one, two, three, four, five or six thousand children, what do you need to do this. It's a large undertaking but I'm thinking, if it's going to be done, the sooner it is done the sooner we can place them for adoption, the better it is going to be for the children

and the less money it will cost in the end, if it can be done.

MR. HOLLENDER: This seems to have a lot of related implications to it but I will prepare something for you.

SENATOR MARAZITI: Yes, it does have implications and maybe the assumption that we can acquire guardianship of a large number. I may be wrong in this assumption but I have a hunch that I'm not.

I think we should have a break at this time, it's 1 o'clock. We will resume at 2 o'clock.

I know there are some people here who would like to go on. I see a gentlemen here - would you like to testify for just a few moments?

MR. REED: I have to leave at 2 o'clock.

SENATOR MARAZITI: Then, Mr. Hollender, would you return here say at a quarter after two. This gentleman, I believe, would like to testify at the present time?

MR. REED: If I may.

SENATOR MARAZITI: You may, certainly.

Let's take a two minute break.

(Recess)

K E N N E T H J . R E E D : My name is Kenneth J. Reed. I reside at 69 Harding Drive, South Orange, New Jersey. I am Treasurer of the Children's Aid and Adoption Society of New Jersey, one of many private adoption agencies in this State. From a statistical standpoint, we represent approximately 12 per cent of New Jersey adoption placements made last year. Our placement figure for 1969 was 212 children placed in permanent adoption homes. We have a branch office in Hackensack and only this month, Mr. Chairman, we have opened an additional office in Boonton, in Morris County.

SENATOR MARAZITI: It's a very nice town.

MR. REED: Yes, sir, and, Mr. Chairman, I would like to digress for a moment to point out that the solution we seek can be achieved only through full cooperation not only of my agency but with the help of interested citizens. In this regard, Mr. Chairman, may I express appreciation for the services rendered by the members of your family in launching cooperative citizen activity in Morris County. These services have been repaid, for this month we have opened a district office in Morris County to which I just referred to better serve the residents of this area. This is one example of how citizen cooperation can pay off. Thank you, Mr. Chairman.

SENATOR MARAZITI: Thank you very much.

MR. REED: Like other members of our Board and the citizen volunteers who aid our cause, I serve without

compensation. We all do this because of a sincere belief that all children, no matter how born or where born, are entitled to the best opportunities that life can afford them. Also, that if children are disadvantaged because of circumstances of birth or otherwise, it is the duty of all to help alleviate their plight. By "all" I include those who work professionally in the public sector, also, those whose services are of a volunteer nature, as well as members of the Legislature, the Executive Branch, the Business and Financial Community, together with the general public.

These bodies and groups should be alerted to the injustices that come to a child because he or she happens to have been born to parents unable or unwilling to give proper care or to a child who is disadvantaged for reasons that will appear during the course of these proceedings.

Since this is the stated objective of this Committee, may I, Mr. Chairman, speaking personally and in behalf of our Board of Directors and our staff, applaud you and your Committee for taking a constructive approach to the resolution of some of these problem situations.

At a time like this, when it has become so painfully obvious that many hundreds of our children are being denied the rights that are due them because of a failure to meet their needs, it will serve no valid purpose to seek scapegoats or to pin the blame on individuals or on any single group.

If there is a "villain" in this situation, it is the general apathy and a shortage of funds, coupled with the inability of existing agencies and bodies to adequately deal with the urgent needs of children whose well-being is under consideration by your Committee. We are all at fault.

For some time now our Board of Directors has been conscious of this situation. Mindful of their obligation to children, they set about to seek out all pertinent facts. Since the child-need problems we face in New Jersey are part of a total or national problem, our Board of Directors has instructed our Executive Director, Miss Barbara Smith, to make a special national survey of this field for our information. This survey has been made and Miss Smith's report has been presented to our Board. This, Senator, was an internal activity which we undertook for our own information, but it gives an indication of some of the things which are taking place in the private sector to keep ourselves current and up-to-date on what is happening, what action we may have to take and how we may have to modify our policies in order to meet the rapidly changing situation.

A copy of this report, Senator, has been submitted to you before the beginning of this meeting. It is, I would like to repeat, an internal communication for our own benefit, but some parts of this report may help shed additional light on these proceedings.

Miss Smith, who has been a diligent professional worker in the adoption field for 30 years, will be available to this Committee to answer any and all questions you may put to her at your convenience. I appear, Senator, as a lay Board member. I am not a social worker nor am I a specialist in regard to these specific problems that Miss Smith has indicated, and whatever experience she has had, she will be glad to place at the disposal of this Committee.

Coming back to Miss Smith, she also with your permission, will answer questions of a technical and professional nature. Rather than burden this Committee by reading from her report, I have already given this to you, but a few additional comments are in order.

The number of children born out-of-wedlock is increasing - and these are Board of Health statistics - nationally in every State and particularly in New Jersey. Now we are talking about New Jersey.

In 1968 there were 9,889 - close to 10,000 - officially recorded out-of-wedlock children out of a total of 114,101 born in New Jersey. This is almost 10 per cent out-of-wedlock.

SENATOR MARAZITI: These are only the reported cases?

MR. REED: Yes. Now I have here additional figures going back to prior years, and we find that while the total number of births in New Jersey is consistent, the out-of-wedlock births are continuing to increase; for example, in 1965 the out-of-wedlock births or a constant over-all

birth rate were only - and I don't mean this facetiously - 8,000. In 1966 it was 8,600; in 1967 it was 9,200; and in 1968 it was 9,889, so there is a clear indication, Senator, that the out-of-wedlock births in this State are increasing, and I would suspect that this is a public concern.

Despite the popularity of "The Pill," the out-of-wedlock trend has moved steadily upward. The ratio of recorded out-of-wedlock births to total live births in this State has also increased.

Total adoption placements by all authorized New Jersey agencies - this includes the published figures of the State of New Jersey as well as private; private non-sectarian, private sectarian, family service, and the State were 1,843 or a little less than 20 per cent of the out-of-wedlock births. We have found homes this past year for less than 20 per cent of the out-of-wedlock births in the State of New Jersey. A legitimate concern of the public is what happened to the other 80 per cent who are now costing us money. This indicates a sizeable "adoption gap" and this gap continues to exist and apparently to increase in the State of New Jersey.

Not all of the children represented by the annual statistical difference between total out-of-wedlock births and adoption placements by authorized agencies are available for adoption and we know this. Not all of these 8,000 children are available for adoption. But

many of these children, very many of them, are suitable for adoption, or so we have reason to suspect. These children should be adopted at the earliest possible age as a contra to growing up in a climate of welfare or remaining in some other condition of total lifetime support by tax-paid funds.

Various authorities estimate that the lifetime "welfare" support - and "welfare" we put in quotations because we are not sure just where welfare begins and other public support or expense - lifetime "welfare" support cost for each "homeless" New Jersey child from birth to age 16 or 18, depending on the program, is between \$20,000 and \$30,000 of tax-derived funds.

Now we all know that this is a low figure but let's take that for openers - \$20,000 to \$30,000 per child.

SENATOR MARAZITI: Yes, I think it's conservative considering the testimony of Mr. Hollender.

MR. REED: We have additional testimony which will show that it's \$100,000, but we'll start out with a low figure. This is lower than Mr. Hollender's testimony.

SENATOR MARAZITI: This is lower. That's what I mean. Your estimate is very conservative.

MR. REED: We are trying to be conservative in our testimony.

In a news release issued by the Bureau of Children's Services on or about March 8, 1970, it was stated that it costs the Bureau approximately \$1,500 per year in

maintenance costs to keep a child in foster home care; \$1,500 per year just to maintain a child in a foster home.

SENATOR MARAZITI: This is just maintenance cost, and the figure, if you apportion all the cost including administrative cost, will be about \$2500. For a 10-year period it is about \$25,000, and for an 18-year period it would be about \$45,000.

MR. REED: Also, if it is assumed that these costs do not increase during the next 18 years - and this is your figure so I'll skip that part.

Now here comes another source, another authority. Dr. Hugh Wood, Professor of Education of the University of Oregon, offers more impressive cost evidence. Dr. Wood was cited in testimony before the U.S. Senate Labor and Public Welfare Committee in hearings held last year, to the effect that it costs society-at-large \$100,000 for a man whose life has been wasted by welfare, by crime, or by imprisonment.

I am not in a position to challenge or verify these figures at this time. But whether we use \$20,000, \$27,000 or \$100,000, or some intermediate cost figure, it should be obvious to all of us that a small investment per child, made in order to direct more children into wholesome home-life climates through adoption will bring the taxpayer a great return.

As we will later demonstrate, it costs our agency

approximately \$500 net for the placement of an easy-to-place child and as much as \$2500 for a hard-to-place child. Now let me explain what I mean by \$500 net.

We are an agency who gets reimbursement. We charge a fee which is based on a percentage of income, so when parents adopt through our agency they pay a fee. It costs us \$500 more on the average for a relatively straightforward placement over and above the fee we receive in reimbursement. So to repeat as a clarification: As we will demonstrate, it costs our agency approximately \$500 net to place an easy-to-place child and as much as \$2500 for a hard-to-place child. To put this in context, if this child is placed for only \$2500 and if it costs only \$25,000 to fail in the placement, have we not made a worth-while investment, not only for the benefit of the child but for the taxpayers at large.

Then there is the situation of the "hard-to-place." We all have heard about that. I am talking only, Senator, about our own agency. We are not here on behalf of the Children's Aid and Adoption Society. We are not here on behalf of or to plead the cause of any one organization. We are here to testify because we have been concerned with this problem for many years and we have some familiarity and we hope that our experience and our point of view will represent or reflect the experience and point of view of many. Unfortunately, time was short and we did not have time to coordinate this with others but we sincerely hope that we are representative.

Now to come back to hard-to-place, and remember that our sole source of funds is fees and moneys we raise on our own. We receive no money elsewhere.

In 1969 we placed 31 children in the hard-to-place category out of 212. In other words, 15 per cent of our placements in 1969 were in the so-called hard-to-place category, and we will point out later on that we could have placed many more if we could have enjoyed a little support from those who are in a position or should be in a position to give it. These are typical of the hard-to-place children who are now receiving much attention in the press, and rightfully so. We would place more and we should place more. We are truly an inter-racial agency. We carry as many hard-to-place children in foster care as our finances permit, irrespective of race or national origin. But the process breaks down when funds run low.

We must carry children in costly foster care while we go about the slow business of finding permanent homes for these children who are being passed by while other children are quickly placed in homes with parents who are ready and willing to adopt them.

Costs intervene. We do not know what the costs are for other agencies. I would like to cite last year's cost figures. We estimate that the deficit cost - we go back to the \$500 over and above what we receive.

SENATOR MARAZITI: Let me see if I understand it. From your experience, the approximate cost for placing

a child is about \$2500. That's high.

MR. REED: In 1970 we anticipate - and I say 1970 because our costs have risen substantially. In 1970 we anticipate that it will cost us on an average of \$1500 to place a child.

SENATOR MARAZITI: This is total cost, including -

MR. REED: Fully-allocated cost, the total cost divided by the number of children.

SENATOR MARAZITI: In other words, right now it costs you \$500 over what you receive, but if you count everything it's about \$1500. This figure of \$2500 you have purposely increased to show that even at \$2500 it saves a tremendous amount of money, because it's a lot less than \$25,000.

MR. REED: We say, Senator, that some of our placements do cost us \$2500, while others might only cost us \$800. The \$2500 figure represents the hard-to-place child. It is conceivable that we have a child in our care where our medical costs alone - and this will come later in the testimony - can be \$1500 or can be \$10,000, and this is a cost we have to absorb. If we are talking about hard-to-place children, we are not talking only about medical care. We are not talking about longer foster care; we are not talking only about extensive psychiatric services, but we are also talking about aggressive seeking out of homes for these children which do not now exist. So when we say \$2500 for hard-to-place, I hope that we are again being conservative.

We hope that the across-the-board figure for 1970 will be no more than \$1500.

A private agency with limited finances can only deal with a limited number of such situations. Such an agency must wait for a hard-to-place child to be adopted before it can accommodate another hard-to-place child. In other words, we have to be selective in our in-take. We cannot take anywhere near as many as we would like in the hard-to-place category. I know of this limitation since I am Treasurer for the Children's Aid and Adoption Society. Mounting costs come across my desk every month and at a given point we must call a halt to the hard-to-place.

It is not my intent to offer a total solution at this time. A total solution will require much time. It will require much experimentation and the gamut of trial and error that must be part of any pioneering venture. But the problems and the extent of the needs are at a level where the testimony offered here today can serve to highlight some of the possibilities. With this in mind, I offer several recommendations.

One recommendation will not require new legislation or an extensive period of planning or discussion before full implementation. I refer to a practice used successfully in the State of Michigan, in the State of New York, and in other States. It is called "Purchase of Care."

SENATOR MARAZITI: Do you have these set forth in the statement submitted to me? What page is that?

MR. REED: We will gladly summarize this report and refer to specific -

SENATOR MARAZITI: What specially you can do - you don't have to summarize the report but you could summarize the recommendations.

MR. REED: Yes, all right.

Under State sponsorship of a program of "Purchase of Care," the State will also make available, Senator, a copy of this testimony essentially as I have given it.

SENATOR MARAZITI: You are reading now from a statement. Right? So the secretaries here will not be required to take it all down.

MR. REED: Yes. I have digressed somewhat and I notice that the secretaries took it down.

SENATOR MARAZITI: Well, if you can follow the statement all the way through, then digress at the end, it will be a little easier. Might I say this: I am very much interested in what you have to say and I would like to hear you out thoroughly and I want you to finish your recommendations at least, but I am wondering if you couldn't return to us at a later date. We can't do it this afternoon. I am saying this because I want you to know you will have that opportunity and I want to hear what you have to say but if we continue, these girls are going to starve. But I want your recommendations.

MR. REED: I only have a page and a a half, and we thank you for your indulgence.

Under State sponsorship of a program of "Purchase of Care," the State, through its Bureau of Children's Services, can reimburse privately financed adoption agencies for such custody or foster-care costs. This, I am happy to say, is a program which is already being initiated on a very tentative basis with one agency.

If in initial stages of a "Purchase of Care" program, no more than five accredited adoption agencies embarked on such a program, and this is where we get to the money, and if each of these adoption agencies doubled or tripled its present hard-to-place foster care carry load, it could result in the added placement of a minimum of 100 more children during the remaining months of 1970.

This is a conservative figure. If you take official State estimates of what it costs the taxpayer for a child to remain in welfare and in welfare-related situations, or in long-term state-care institutions, this modest 1970 year-ending adoption acceleration goal can save the taxpayers a minimum of 2.7 million in dollars. This is a modest figure based on State published information. The human values are obvious and I have no price tag for these.

I recommend, therefore, that this Committee urge that the State, through its Bureau of Children's Services, immediately implement plans now under discussion for such "Purchase of Care" programs. This will permit the

State to more effectively utilize service capacities of private adoption agencies now ready and waiting. This would be far less costly than a massive expansion of State-employed personnel.

There are other programs that should engage the attention of this Committee or the attention of a subsequent on-going body or commission set up to deal with and to give "oversight" - I mean supervision; oversight in the sense of supervision - to unmet child care needs on a continuing basis. These programs include such devices now used in New York State whereby properly-qualified foster parents who have maintained certain children for long periods of time be aided through subsidies, if subsidy is needed, to bring about the necessary adoption of those children. Also - and I'm almost finished and I thank you for your indulgence - also, where so indicated, consideration should be given for subsidies to make possible the adoption of children for whom long-term medical service is indicated. We have had some experience with this kind of situation. We are pleased to report that both the arrangement for permanent placement of a child requiring long-term medical service, as well as a medical-cost subsidy arrangement on a lifetime basis, which we have worked out privately, have worked out well.

I'm sorry, Senator, there is one more page than I anticipated. I will skip that page and go to my last

recommendation.

SENATOR MARAZITI: Believe it or not, I've read the page. I read it and I have the benefit of it but the last page has some very good conclusions and I think you should read it.

MR. REED: Thank you. I will not touch on the plight of children in custody care for whom adoption is not possible because their parents, some unable to give good care, or others indifferent to the welfare of their offspring, will not relinquish parental custody. This, too, should be made the subject of legislative attention so that some in this category of "abandoned children" may likewise be processed for adoption. If new laws are needed for this purpose, I hope they will be considered.

Finally, and this is perhaps the most important part of the testimony - finally and in conclusion I might point out that New York State has set in motion a new approach to this problem through its Child Care and Youth Needs Commission. The creation of a similar body in the State of New Jersey may well be indicated.

I respectfully recommend that this Committee take a look at that which is going on in New York State, in Michigan, and in other States, all to the end that New Jersey may quickly be in a better position to deal more effectively with the needs of its homeless and potentially homeless and potentially homeless children.

Senator, I thank you and, ladies, I thank you for

your indulgence.

SENATOR MARAZITI: Thank you, Mr. Reed. Before you leave, let me say that I do have a number of questions I would like to ask you. However, I would like the opportunity of doing this at one of the other hearings to develop some of these points. If you will keep in close communication with Mr. Wertheimer, I am sure he will advise you of the next date or dates of the hearings. Thank you very much for coming.

I think Father McHugh would like to testify briefly and I have an idea that his idea of "briefly" is shorter than your idea. I hope it is. But I enjoyed your comments.

Father McHugh, we are very happy to have you here. We appreciate your waiting to give us the benefit of your views. You may take whatever time is necessary.

R E V. E D W A R D J. M c H U G H: Well, I will be brief.

My name is Edward J. McHugh. I am Assistant Executive Director of the Archdiocese of Newark, representing the counties of Bergen, Essex, Hudson and Union, and, Senator, I speak not on the specifics which I heard here from Mr. Hollender nor on the cost figures but mine is more an emotional appeal, I would dare say that in the hours we have spent here, there have been over 25 applications in the various agencies being processed for child care this very day.

I also am reminded of the story in the bible of the lady taken in adultery and the members of her community going outside and bringing her outside the walls and preparing to stone her to death. And then the Lord stepped forward and said, "Let the first stone be cast by the one without sin." Needless to say, we know the answer.

Today, being here I think in retrospect it is time to lay blame for this terrible dilemma which we have in our great State. The first one to blame would be ourselves, the private and voluntary agency, the Bureau of Children's Services, the Department of Institutions and Agencies, the members of this august chamber both past and present - we all must stand the blame for this terrible, terrible predicament. However, I think Mr. Hollender is indirectly being blamed for something he is not responsible for, and I, for one, representing the Associated Catholic Charities, would like to commend the Bureau of Children's Services in the personage of Mr. Hollender and the many fine and dedicated workers which they have on their staff which I have had contact with in the counties which I mentioned. The work they are doing is admirable. Because of lack of staff, this is the problem of all of us. However, I do have a solution to offer.

If BCS needs more staff, if funds can be given, give BCS the people they need. Another solution is purchase of service. We have many fine private voluntary agencies

in this State which in my opinion are not being utilized. This I think, Senator, has to go back to the Legislature. What can you and your people do for us: Implement legislation so that we get this purchase of service.

I would like to read two very short excerpts here:

"Real progress in purchase of service will not be achieved until it cuts across the entire field of social welfare services." There are many areas where there is little or no purchase of service in New Jersey such as family and marriage counseling which eventually would prevent the placement of children, and the problems could be alleviated; services to unmarried mothers; hard-to-place children for adoption - to mention a few.

Now I realize this is not exactly accurate but if you will just hold your thought on it a moment. It is in this limited progress that the problem of the purchase of service in New Jersey is to be found, and if we are to put it very simply, this problem or this limited achievement of purchase of service is traceable to an attitude within the Department of Institutions and Agencies.

I said before it is inaccurate on the basis that this paper was written and given on October 20, 1966, at the 65th annual conference of the New Jersey Welfare Council.

We are still laboring with this problem.

To go back to my original contention of laying blame, I happened to mention the Department of Institutions and Agencies. I don't intend that as a personal mark of blame on them but I do ask them, along with the Legislators, to give us some more protection, more planning, and finally to utilize these private and voluntary agencies who have professionally trained workers, existing operational structures, and an expertise and know-how across the whole gamut of the social welfare field. I think this is the solution and I think with that emotional appeal, I thank you for your time, Senator, and my staff as well as myself at any time in the future if we can afford any co-operation, we will be most happy to do so.

SENATOR MARAZITI: I am very happy to have you here. Before you go, I wonder if you could - but first let me say that you are welcome, of course, to return at the future hearings we will have from time to time. I would like if you would, and this may not be possible and I don't want it to be considered binding in any way - I would like an idea of the approximate cost of a plan for utilizing the purchase-of-service concept. In other words, I imagine it would vary with the different groups. I am interested in developing this thinking but I would like to know if we can arrive at some approximate cost and what could be done. I am not asking you to answer questions at this time because I know it would be unfair to expect the answer - and perhaps not even later, because

I don't want you to be bound by any figures, but I would like to have more information. You can come here again if you want and do it orally or put it in writing. You may be able to explain exactly what would be done and for how much. That is one point.

The other point I would be interested in developing would be if we could determine in what other States this is being done. You may know it or may not know it, but this would help us.

REV. McHUGH: What has been mentioned before about the plans in Michigan and New York, these plans have been made known and are known to the members of the Bureau of Children's Service and also to the Department of Institutions and Agencies, which is one of the points which I made before - that the projected planning should be at this upper echelon level and then with the formation of the Ad Hoc committees which has been done in the past - but actually the purchase-of-service concept has more or less not been given primary consideration.

These facts, these figures, are already there. They need further scrutiny and perhaps the additional suggestion that I might make would be that more of us from the private and voluntary agencies would be on these committees to offer whatever suggestions we might, using our own experience and our own organizational procedures, and that this could be helpful. I just don't think the court's figures as such would reflect the purchase-of-service; it

has to be the over-all; it's been tried in two States.

SENATOR MARAZITI: Michigan and New York.

Of course, I don't think this is a question you might be able to handle, although maybe you can. Do you think one of the problems is the processing of these children for adoption or are there other problems?

REV. McHUGH: I think what Mr. Hollender was trying to bring out this morning was the many, many variables in individual cases. I wouldn't be in a position to generalize on that, Senator.

SENATOR MARAZITI: I didn't think you would know but I thought you might have an opinion. Let's leave it this way, that we will have more hearings and you are welcome to come and, if you can't come, you can submit anything else you might have to me or to Mr. Carl Moore.

Thank you very much for waiting, Father.

REV. McHUGH: Thank you, Senator, for your patience.

SENATOR MARAZITI: We will adjourn until three o'clock,

[R E C E S S]

Afternoon Session

SENATOR MARAZITI: The hearing will come to order.

There are some individuals that must leave soon and I would like to accommodate everybody, if possible. Mrs. Glickman advised she must leave soon. So if she will step forward we will hear her.

[Mrs. Glickman hands Senator Maraziti a copy of "National Adoptalk" and advises him that she is editor of the magazine.]

Now you are the Editor of "National Adoptalk." We would like to have your name and address.

M R S. S A R A H G L I C K M A N: My name is Sarah Glickman, 538 Rutland Avenue in Teaneck. I am the founder of the Adoptive Parents Committee of New Jersey and also the Editor of "National Adoptalk."

Primarily I came to urge that we do something about subsidizing adoption for foster parents of the State. I note that Mr. Hollender did mention the fact and the great need. And there is no question about it - I think it would be a great service to the State because there are many people, foster parents, who have children who have been in their home for a long time and they possibly cannot afford to maintain so many children, paying for all their expenses. Even if we subsidized them to the full extent of what they are now getting, the hundred dollars a month, we still would be coming out ahead financially.

New York came out with a similar subsidized adoption bill. As a matter of fact, they have one in committee now that

would subsidize anybody who wants to adopt, even independently.

SENATOR MARAZITI: You know that sounds something like the bills that I introduced. I have a lot of bills in a lot of committees and they never get to be passed and they have merit, at least the ones I put in, and perhaps what you refer to has merit too. But if there is a bill in the New York Legislature that is not as significant as --

MRS. GLICKMAN: -- what passed.

SENATOR MARAZITI: -- a law. Is there a law in New York that ---

MRS. GLICKMAN: There are five states that have passed subsidized adoption laws. New York State is one of them. Michigan is another. Minnesota is another and California.

Each law is different and there is going to be a committee to analyze them all and to come out with suggestions as to what we would really like for New Jersey.

SENATOR MARAZITI: Do you know what the law provides? What would you recommend in this area?

MRS. GLICKMAN: I would recommend New York's law, which is very flexible and which says that you can subsidize a family up to the full amount that they were getting before.

SENATOR MARAZITI: -- before adoption.

MRS. GLICKMAN: -- before adoption.

SENATOR MARAZITI: Would you say if you had a young couple and they had no other children and the husband was employed -- would you say if they adopted a child, they should be subsidized if the child is normal in all respects?

MRS. GLICKMAN: Well, these children have been in foster care to begin with. I mean, these are not babies that they have gotten that they just decided they wanted to adopt. These are children who have been in foster care, that they have taken on a foster-care basis.

SENATOR MARAZITI: From what Mr. Hollender said the problem seems to be not that we can't find adoptive parents in many respects, but that -- I don't know if he so testified, but I will ask him to do so a little later -- I think there are 932, I think the figure was, children available for adoption. That's all.

MRS. GLICKMAN: That's right. But I think there could be many more that could be made available.

SENATOR MARAZITI: Right. I agree with that. And your point would be when more are made available perhaps we won't have enough adoptive parents to go around.

MRS. GLICKMAN: Right.

SENATOR MARAZITI: You may have something there and you may have a point in connection with the group of people that might adopt children if they received a subsidy that now are not adopting children and these children are suffering. There is a category there.

MRS. GLICKMAN: This is particularly true about minority children in minority families.

SENATOR MARAZITI: Yes.

MRS. GLICKMAN: Now the other thing - I was horrified when I came and listened to these private agencies who are

asking for subsidies for their adoptions and their foster care programs. I am familiar with New York State and the way it operates. And whereas it costs our State \$2,000, somewhere around that, per child; in New York City it costs over \$4,000 and this is with the purchase system, purchase of care. In New York State during the 12 years that I have become interested in adoption, the figure of children in foster care in New York City has increased from 18,000 to 25,000. This is just New York City; I am not talking about the state. The whole state is not subsidized. Only New York City has subsidized private agencies. I find that it is a very poor system.

I would, however, recommend, that if we are going to consider any kind of subsidies at all, we consider subsidizing hard-to-place children. What I mean by that is, if the Bureau of Children's Services has a child, say, in their care for six months that they can't place and if the private agencies can place it for them, they should be subsidized for the expense of placing that child for the Bureau. But I certainly don't think that the State should pay for the subsidizing of blue-ribbon, white children or even children that the private agencies consider hard to place because what they may consider hard to place, the other people may not consider hard to place.

It is very easy to say that an adoption costs the private agency \$500 or \$2500. You can make expenses to cover most any amount. Mr. Hagen from the Lutheran Social Service of Minnesota placed over 800 children last year and the figure

is \$265 per child, the average cost.

SENATOR MARAZITI: In other words, what you are saying is that you would recommend purchase care or service in the hard-to-place children category.

MRS. GLICKMAN: That are under the care of the Bureau. If the Bureau can't place them first and if the private agencies want to place a child that the Bureau now has that is available for adoption, I think we should subsidize that placement. The agencies sometimes have an inter-racial child that they are going to place with an inter-racial couple or with a black couple that has come to them and if they are going to consider this a hard-to-place adoption, I don't think this is a hard-to-place adoption to begin with. Because they have it as a baby and they have already made the arrangements for it.

To me, a hard-to-place child is a child that the Bureau has not been able to place. O.K.?

SENATOR MARAZITI: Now I would like to ask a question or two. When you recommend a subsidy for foster children, you are differentiating that from children that are placed in a home for adoption. In other words, foster children would be older children, 7, 8, 9 or 10 years old. Did you make a distinction?

MRS. GLICKMAN: No, I don't make any distinction because I think with minority families particularly, even if they are in the middle-income bracket, they do not want to lower their economic standards just to adopt.

SENATOR MARAZITI: Stop right there. Why shouldn't they? Why shouldn't they if they want to adopt a child? A child doesn't have to be brought up in luxury. If a natural child were born to them that might, I was almost going to say elevate their standards, not really lower them. In other words, why shouldn't they?

MRS. GLICKMAN: Well, because very often they have both worked very hard to obtain the standards that they now have. They may have two or three children of their own, biological children, which they hope to send to college. College, of course, is very expensive. Now they will not lower their standards to adopt another child.

SENATOR MARAZITI: In other words, your point certainly is valid if we come to a situation where we have more children than we have adoptive parents.

MRS. GLICKMAN: Right.

SENATOR MARAZITI: And to some extent we have that now in certain categories.

MRS. GLICKMAN: Right.

SENATOR MARAZITI: We think we have it. We may be able to do something about it and we may not.

MRS. GLICKMAN: May I add something. I think that every case has to be determined on its own merits. Most of the other states that do have subsidized adoptions proceed in this manner. Not only that, the state will re-evaluate each case each year to determine if the person's income has increased, but this is not the agency's policy.

SENATOR MARAZITI: Thank you very much for appearing here.

Is there anyone else who must leave immediately?
All right. What is your full name, address and phone number?

M R S. A L L A N G R A Y: I am Julie Gray, Mrs. Allan Gray, 617 Boulevard, Westfield, New Jersey, 07090, 201-233-8509. We have a brochure we will leave with you with that on it.

SENATOR MARAZITI: Thank you.

MRS. GRAY: The Council on Adoptable Children is a non-profit voluntary group of interested citizens concerned about all the children waiting for permanent homes for whatever the reason.

We have spent the last year and better talking to the public and private adoption agencies, adoptive parents, judges, lawyers and perhaps most important of all to people who because of the present system here in the State of New Jersey would be adoptive parents.

We spend hours on the phone every day talking to these people and in turn refer their problems, anguish and frustration to the Bureau of Children's Services people either in the district offices or in Trenton plus in addition to private agencies. It has been said to us that we report only the exceptions. That may be, but we get exceptions from eight o'clock in the morning until after ten every evening. The daily mail brings its stack of letters from pleading people who beg us to help them get a child. May of them include letters of applicants turned down by BCS and other agencies saying there are

no children available.

We believe that many adoption workers both in the public and private agencies and even indeed the administration of these agencies really do not yet consider all children adoptable - and even that these hard-to-place children are often times better off in some other kind of care than adoption.

We ask you, what is to be the fate of these children who are growing older daily? They will not stop growing up while adults decide what their future will be. They will only grow more disturbed, more distrustful and more hostile to a society that they will have to live in as adults, a society that has turned its back on them as children.

The Bureau of Children's Services is just one cog on the wheel of the network of public services to children and youth. The needs of the children of New Jersey would be better met if this entire machinery was revamped. This same proposal has been made by the Blum Report, a commission authorized by the State Board of Control. This report has almost been effectively buried until recently.

At present to get services for a child an applicant is often shifted from BCS, to Welfare, to county sources, to local municipality. For us who have probed for a while, it is often difficult to know who can best serve someone's needs. How deep the frustration must be to a person simply trying to adopt a child or to release a child for adoption. How well are we meeting our responsibility to children, if of the 10,000 children born out of wedlock every year in New Jersey, only

1800 are placed in adoptive homes?

We can give you case history after case history of unhappiness, lack of service, etc. The important thing about this is the why of why it is happening. We will go into some specific recommendations in a moment.

Gentlemen and ladies, we live in an age when the world is quite literally going crazy, crashing down about our heads if you will. Our young people today are almost giving up on the structure as it exists today. They who are in despair are being deserted by the very system they are protesting.

We are not providing proper services to care for our children, either physical or emotional. It seems we will reap what we are sowing. For some children there is still a chance and we hope we can make an investment in their future now.

At the present time in the State of New Jersey there are about 20 private agencies and one public agency dealing in adoption services. These agencies seem at present to be able to serve adequately the needs of the white healthy normal infant. Council on Adoptable Children is deeply concerned that the needs of the so-called hard-to-place children are not being met.

What is a hard-to-place child?

This varies. For most of the private agencies, a hard-to-place child has been defined by society and by the agencies as any other than the white healthy normal new-born infant. They are the children considered too old, with physical or emotional handicaps, victims of the oversupply of babies

in some locations, and children of mixed or minority racial heritage.

Where are these children and why?

Now you have heard many of the statistics from the very impressive chart we saw this morning. I might add that this is the first time we have gotten exactly this breakdown of the available children. It seems in the past to have been broken down in other ways. However, we are distressed at the number of children who are waiting.

The majority of all hard-to-place children who are now receiving any service at all - and I must emphasize "receiving any service at all" - are now under supervision of the Bureau of Children's Services. Some 9,000 children according to the statistics we heard this morning are in foster care, additional children are in institutions and some are in children's shelters. And, yes, many are not receiving any service at all and are waiting in limbo in the community for some service or better living conditions.

They are in foster care as a way of life because of many reasons. One thousand children are legally free for adoption, that is, the Bureau of Children's services has legal guardianship. I heard this morning for the first time that it is indeed much higher and I find it even more distressing. We have been told by the Bureau of Children's Services personnel that the great majority of these 1,000 children have been placed in permanent foster care and will not be removed even if there is an equally good or better adoptive home. There is a better

answer for these children and their foster parents. The answer is "subsidized adoption."

May I go into that just for a moment even though Mrs. Glickman went into it because I think it is vital.

What is subsidized adoption?

A subsidized adoption is any adoptive plan in which the agency continues financial involvement beyond the point of legal consumation. It differs from other types of agency sponsored, long-term care, in that the child is legally adopted.

SENATOR MARAZITI: Could I ask you at this point a question. You favor subsidized adoption. Would you favor it universally or only where there is need, economic need?

MRS. GRAY: Well, I think I have answered this as I continue on in this statement here.

Such subsidies may fall into three categories: special services subsidies, time-limited subsidies and long-term subsidies.

Five states have so far passed subsidized adoption bills. Subsidized adoption saves children and saves money. The maximum payment for this type of adoption varies but rarely exceeds one-third the cost of foster care. Besides saving the state money, it provides the child with permanence - a family of his own.

Subsidized adoption is also a suggested tool for low-income families who otherwise could not afford adoption and I might also point out are reluctant to apply for foster care

because they do not feel that they want to be paid for caring for a child and yet cannot afford to take a child free under the foster care program.

What about the other children in foster care?

Now the numbers were stated this morning. It is a little hard to follow them but you have them in the record. According to the Child Welfare League of America estimates at least 25 per cent of these children presently in foster care could and should be legally free for adoption. This represents over 2,000 human beings. In living terms, maybe a reality that we can cope with, that's 5 average grade schools full of children. Picture all those children out on playgrounds at lunch hour. In financial terms it represents millions of dollars saved. If these children continue in foster care, it will cost untold human misery.

The Bureau of Children's Services has not initiated guardianship proceedings due to a variety of reasons to free these children for adoption.

The first reason, and I don't mean this to be taken fliply, is that the first thousand children have not yet been placed for adoption, therefore, why bother to free the other ones. This will not be an official reason but I have a hunch this is behind it.

Another one of these reasons is their cumbersome communications system between their 18 district offices and the Central Office in Trenton. In this age of the computer, the Bureau of Children's Services has only part-time use of an

old computer of Institutions and Agencies and to find out where their children are and what they are doing and so forth, they have to sit down and write a memo to each other. This is ridiculous. With case worker turnover what it is, about one-third turnover each year, and the communications system what it is, it is literally impossible to keep track of the children. A caseworker who only sees a child every two months cannot know that child well enough to determine the termination of parental rights.

We understand that various computer companies have inquired of various personnel about voluntarily setting up a modern system for the State of New Jersey. We urge the cooperation of the State.

Without modern computers keeping track of all the children, it would be possible to mismanage funds with 26,792 children under some sort of care.

What do we propose?

This has already been stated. We propose purchase of adoptive service from private agencies. We have spent time in Michigan. We have worked with the first agency in the country and I have given a copy of the regulations setting up the requirements for this to various private agencies' personnel and I gave it to your aide over there before. It seems relatively simple to figure out.

If the state maintains a child in foster care for one year, it costs a minimum of \$1800. It appears to us it is not too terribly complicated to see that if a private agency does

an adoption procedure for a child who would otherwise be in the care of the state, they should be reimbursed for their service. This is just commonsense. We have included a sample agreement. We are also vehemently opposed to the subsidization of foster care of private agencies and let me give you an example of how this could be bad. Say a private sectarian agency takes a child, for example, a Protestant agency, who happens to be, another hypothetical case, of the Jewish faith into its foster-care program, and they are being subsidized by a hypothetical state - this child is in their foster care program. Now an adoptive couple of the Jewish faith comes to this Protestant agency and says, "We would like to adopt a child." The Protestant agency says, "I'm sorry. We do not serve people of your faith. We are a Protestant agency." This has to be very carefully looked into since it could result in a subsidization of private agencies and the maintenance of their structures and not really serve the interests of the children. So I would be very careful about that, as I am sure you will be.

We propose legislation in the following areas:

A bill similar in nature to New York State's proposed Bill A-5257, which you said is not as good as a passed bill, which requires or will require court approval to keep a child in foster care status beyond the period of 24 months. We have had judges tell us that they would welcome this.

SENATOR MARAZITI: What is the number of that bill again?

MRS. GRAY: It is Bill A-5257 as I have it and I think Mrs. Glickman gave copies of it.

MRS. GLICKMAN: I did.

SENATOR MARAZITI: And that has a limit --

MRS. GRAY: Twenty-four months. Beyond that it would require court approval. I think in this age of kind of passing the buck and people unwilling to take responsibility, this would be an aid to our judges so that they could no longer permit a child to drift through foster care for more than ten years and then be at the point when they are in and out of a State Home or Totowa or whatever the name of the school is. I ask, why was that child not adopted before the ten-year period?

SENATOR MARAZITI: I am wondering - maybe 24 months is too long.

MRS. GRAY: Well, I think it is. I would prefer a shorter time but if you can't make it a shorter time, then this is the outside limit.

This bill should be worded to facilitate the release of foster children for adoption and with the aid of a computer would insure that no child could drift aimlessly through foster care as a way of life with only periodic review.

We would also like to see this bill suggest a maximum time limit on a parent's lack of contact with a child and thereby permitting no situations where a parent deserts a child for seven years and then returns to say he or she is still the parent.

Incidentally, to get back to something that you mentioned earlier when you were talking to Mr. Hollender, after a parent's rights are legally terminated, it seems almost ridiculous to continue to work with those parents and hold those children in the limbo of foster care without making them readily known for adoption. It is so difficult to get parental rights terminated now that you almost have to bring in a dead child to get parental rights terminated. I mean, why in heaven's name must this be continued?

Subsidized adoption as described previously, we believe legislation will be needed for.

SENATOR MARAZITI: Subsidized adoption. That would ---

MRS. GRAY: This is in case of need. It could be medical. It could be short term in case of - well, this is also medical - but a particular type of school or psychiatric treatment. Offhand, I can't think. But there could be short-term needs that a child would require and the family would require to make adoption the way of life. Right now, for these children who are in permanent foster care - and I may be wrong - there are no guarantees to the children. There are just guarantees that they are never going to be removed from the foster home. Yet if they are still theoretically working with the parents --

SENATOR MARAZITI: Your computer is going to take care of that.

MRS. GRAY: Right. O.K., not mine.

SENATOR MARAZITI: After 24 months, it will pop right

up.

MRS. GRAY: Fine.

Mandatory child care legislation - and this is possibly the most important thing after we get the children freed for adoption - mandatory child care legislation which will change the word "may" to "must" in the legislation dealing with the care and services to children.

SENATOR MARAZITI: What?

MRS. GRAY: The word "may" to "must" and this is contained in the Blum Report that we referred to at which various officials of your department, the Bureau of Children's Services, and all the private agencies in the State, we understand, testified. No adoptive parents' groups to my knowledge were asked because I think it was kind of assumed that most of these children no one would want anyway. We found the Blum Report; we have read it. We agree with most of its recommendations and we feel that the reason children are literally falling through the cracks of aid is because the legislation that was set up to deal with their care is permissive.

SENATOR MARAZITI: You want to change "may" to "must" do what?

MRS. GRAY: So that the Bureau of Children's Services or - we'll go on here - some public agency is held accountable for the care of all children and providing the services that they need. So an unwed mother does not have to take her child home and have that child absorbed into the community, only sometime later to come into possibly an institution or a

prison because of lack of services.

We feel that this legislation is critical. You probably have read this report, but if you haven't, I urge you to read it as I know you will.

We would like to propose an ongoing permanent committee on children's services that is completely separate from any monetary concern or bureaucratic influence.

This committee would ideally be legislature based with representatives from private groups represented, such as the Council on Adoptable Children, the National Association for Mental Health, the Junior League, etc.

This is the end of our prepared statement.

We would also urge - How can I put this? I would like to get into the area of religion as affecting adoption.

SENATOR MARAZITI: I didn't hear that.

MRS. GRAY: Religion.

SENATOR MARAZITI: I got part of it. Could you speak a little louder?

MRS. GRAY: I would also like to get into the area of how people's religious beliefs affect the area of adoption. This is a kind of hard area to speak on at this point so I prefer to wait for a further hearing if that's all right with you. But I think this area must be covered.

SENATOR MARAZITI: In other words, I think you want, as you mentioned earlier, to make sure that no problems arise in this area, and I think you are right.

MRS. GRAY: Yes, we would like to work with you.

I have some other questions. Some of them Mr. Hollender will have to answer. Some of them you probably have thought of already because you have been asking great questions.

As to the 40 children of these 2400 who were returned to their biological parents, has it worked out? Are they happy, secure, well-adjusted human beings now and is the family fine or are they just out of the care of the Bureau of Children's Services? Did they go back to their families because the families wanted them to go to work to realize some money? There could be many reasons as to why they went back.

I would argue with Mr. Hollender on his philosophy. Ideally there is a point at which you have to not sacrifice the 2360 for the 40 who do work out. You have to salvage the 2400. You don't throw away the rest of them into this horrible amount of time in foster care.

We want to know, of course, how many of the children in custody should we have guardianship of, which is a question that you have already asked. I made the point before that the time limit should be set before guardianship proceedings when it has to come to judicial review. After guardianship, we see absolutely no reason why the parents should still be worked with.

We also question why did these children - I think there were actually over 500 children - let me find this figure over here - there were 412 children in supervision under guardianship for six years or more, 103 ten years or more. Now

that is over 500 children. Why did those children have to wait five and six years?

I would also like to go into another area. Mr. Hollender said that 51 per cent of the children we must consider by racial characteristics are black. We have been told that there are no white children available for adoption. Who are the other 49 per cent of these children? Why is the assumption made that these children are hard to place? We know they are not. We know it from publicity campaigns that have been run in other states. We know it from a publicity campaign right here in the State of New Jersey now. It is only the assumption that is made that these are hard to place children. We would prefer to call them merely children waiting for homes. They are not hard to place children to the people who want them and we get the people who want them.

SENATOR MARAZITI: Your opinion is that the non-white children are not hard to place.

MRS. GRAY: That's right, with more belief on the part of more people from the top administration right down that these are downright desirable children and that they are beautiful children and positive comments being made on them. We have discussed this with Bureau personnel. We have discussed this with private personnel agencies. We have discussed this with the mass media. This is no secret of our stand on this. I, myself, have two adopted interracial children. One is from Korea and one is a negro-white child in addition to three biological children or three children that I gave birth to.

I know they are beautiful children. Many other people know that too. I resent the fact that the assumption is made that any child should not be placed in an adoptive home. It has been proven that retarded children benefit enormously by being placed in families rather than in institutions. Handicapped children need parents. To keep a child in foster care for ten years and then suddenly wake up one day and discover that this child is emotionally disturbed is criminal.

I will give you one other statistic that we have and this is through one of the Detention Center people. A friend of mine, actually one of our members, is on the Advisory Board for one of the Detention Centers that are maintained by the counties because I understand the State does not maintain them. I may be wrong. She gave me a statistic which I am sure she has researched very well that 50 to 60 per cent - and this is a low conservative estimate - of our present population of prisons and mental institutions are products of foster care background and a good portion of these children go on drugs, become increasingly hostile to society, and if we don't get them adopted, we are going to care for them for the rest of their lives and ours.

SENATOR MARAZITI: I have a couple of questions I would like to ask your opinion on. It is your belief that we can place the non-white children and what do you think it is, a question of applying ourselves to it?

MRS. GRAY: Well, let's not talk about just the non-white children because in the first place I don't like the use of the word "non-white." You could just as easily say,

and I don't mean this as an offense to you --

SENATOR MARAZITI: No. The only thing is we have to talk about it. We have to characterize it. That is the terminology that has been given to us.

MRS. GRAY: These are children of varying races and varying reasons as to why they are adoptable - why they are available for adoption. I would go back to my earlier statement that the underlying reason that we have been able to find is that the adoption agencies are still trying to screen people out because of the procedures under which they work. And you have people who are working very hard to retrain the personnel. Your State Adoption Services Supervisor has been doing an almost incredible job in trying to retrain and re-think her people. However, a great majority of the personnel, in both private and public agencies, were trained in the days when other than white, healthy, new-born infants were not considered suitable for adoption. Therefore, you had orphanages until as recently as 1945. I guess after the Second World War nobody wanted to run an orphanage. I don't know whether foster care was realized to be hopefully what it was meant to be, a short-term child-caring system, and not a way of life.

For white, healthy, new-born infants, except in other areas of the country, not in this area, adoption is not a problem for these children as has been previously stated and you have, for example, between eight and twelve couples for every white, new-born child. So you have to find reasons to find fault with nine out of ten couples for every white baby.

You have to say, "You don't have a house so that disqualifies you." That might disqualify three couples. "You don't have a room for the child. He can't sleep in your bedroom." So you get rid of some more. Eventually you might get down to two couples left and one of them maybe just by luck will get that white baby.

However, for the so-called hard-to-place child - and this includes the mixed race, the older, the black, the non-white, if you will, the Oriental, the Indian is a problem in some areas -- some areas have over-supplies, some have under-supplies -- for these couples there are 20 children waiting for every prospective adoptive parent that is known about. And we have to have entirely new techniques.

SENATOR MARAZITI: What's the technique? That's what I want to hear about.

MRS. GRAY: The technique is to not screen people out, but assume when people come to adopt ---

SENATOR MARAZITI: In other words, your thinking - and I'll ask Mr. Hollender when he gets back -- your thinking, and you may be right, might be that we do have people that will adopt these children --

MRS. GRAY: That is correct.

SENATOR MARAZITI: [Continuing] -- but perhaps the screening is too fine.

MRS. GRAY: Well, it should not be screening; it should be enabling. Maybe that is what I am trying to say.

SENATOR MARAZITI: I agree with that statement.

MRS. GRAY: It should not be a screening procedure; it should be an enabling procedure. We are at the point where we have to take every single couple who applies to adopt a child and assume that they are motivated by healthy concerns for children. I will give you the balance for this. Because the alternative for the child in many cases is to be placed in a Well Baby Clinic, in a Well Baby situation with a net over the top of the crib, such as Martland Hospital in Newark has, and in New York State, Meadow Brook Hospital on Long Island. They keep healthy babies in cribs with nets over the top. When they get to the age of 18 months, they can't crawl out. Now when that is the alternative for a child ---

SENATOR MARAZITI: That's right. You know, my mother tells me that we lived in one room on Main Street, Boonton. There were seven of us and I look pretty healthy, don't I? Maybe it affected my hair though.

MRS. GRAY: What I am trying to say though is that we have to assume the couples are healthy when there is really no alternative and they are offering good living conditions for these children. We are throwing them away if we don't get them adopted. We are throwing them away emotionally. We must start with every social worker and every adoption agency from the top management, because I believe it is essentially a business operation, on down or from the social worker on up or however you want to put it, maybe from the social worker on down to management. They must believe that when a couple walks through the door they are not guilty until

they prove themselves innocent, and if they happen to apply for a mixed-race child, that there is not something wrong with them.

SENATOR MARAZITI: I am in complete accord with you and I am very happy to hear you say it and there are many people in this State think exactly as you have said.

MRS. GRAY: I hope so.

SENATOR MARAZITI: I believe you are absolutely right in this regard.

You suggested we revamp the BCS. Maybe you have some ideas; maybe you don't.

MRS. GRAY: Yes. Right now, as we said before, to get services for a child a person has to be either in contact with our group -- There are people who are now contacting the Star Ledger and other papers because of their publicity campaigns. People sometimes have to go to the Bureau of Children's Services. They may have to go to welfare.

SENATOR MARAZITI: Well, no one has a publicity campaign. I think what the press is doing, in fairness to the press, is writing a series on the situation.

MRS. GRAY: Right. But people are going there to find help because they have been frustrated.

SENATOR MARAZITI: Oh, I see, and they shouldn't have to do that.

MRS. GRAY: The multitude of services for children right now are spread out under so many separate groups. And if you get a person who is desperate, they don't want to

know - I'll give you a case of child abuse - they don't want to know and many times they are not in condition to know that there are two ways of getting guardianship or protective custody for a child. They don't know, as I understand it, that you have either an option to go to the Probate Court and request it that way or through the Bureau of Children's Services. And you have to be pretty sophisticated to go through these various avenues to get help when you are in need. If a person is told, "No, we can't help you," or "We'll investigate," by the Bureau of Children's Services, or "We'll investigate to determine your need," by the welfare, many times they'll just say, "Eck," and they'll give the child to a neighbor down the street and take off.

We are suggesting something, and once again we come to Michigan, that they have just done. They have created a Commission on Youth where all services for children are under one roof with controls. I don't want it to become one all-encompassing super mother that will take over everything and the public abdicate its responsibility. There will still be need for private counselling agencies and so forth. But we want all State, county, Federal areas to children in one area, preferably as the Blum Report states, broken down into community service centers. Of course, the adoption thing we'd like to see changed too. We would like adoption in foster care, but the computer will solve many of these problems we feel by knowing who and where the kids are.

SENATOR MARAZITI: Now you estimate there are 2000

children in foster care that can be ---

MRS. GRAY: These are according to Child Welfare League.

SENATOR MARAZITI: [Continuing] -- moved to the guardianship status and I concur. I believe there are many that can be. You used the figure of 2000. I think there are more.

MRS. GRAY: I do too.

SENATOR MARAZITI: Do you have some way to ---

MRS. GRAY: We were given a breakdown a while ago and, as I said before, it was quite different from the breakdown we saw today. We were given a breakdown that there are about 9000 children in foster care. Of those, 1000 are legally free for adoption. Now I see that it is 4000 and something. I never heard that number before.

SENATOR MARAZITI: Four thousand were in guardianship and not all available for adoption.

MRS. GRAY: Right. Ten per cent were in temporary guardianship. Eight per cent were with their parents. Let's get on to that for a minute. Why in heaven's name are there 8 per cent, which works out to about 300 children, with their parents?

SENATOR MARAZITI: What are they doing with their parents?

MRS. GRAY: If guardianship has been terminated of the parents and they are in the care of the State for all their welfare and being, why are they with their parents if these parents were so grossly inept that guardianship had to

be terminated in the first place? So even if you assume these 300 are going back to their parents - hopefully the parents will be parents again and maybe it shouldn't have been terminated - you still have about, well, 3,000 children under guardianship who are legally free for adoption. Twelve per cent of these, it is said, are already in homes. All right, that's another 400. Twelve per cent are in institutions for the delinquent and the retarded. Who is to say a retarded child is not adoptable? Who gives the Bureau of Children's Services the authority to say, "We will not make the child known," or "This child is not suitable for adoption"?

SENATOR MARAZITI: We don't know that the Bureau of Children's Services is preventing the adoption of retarded children. I don't know that.

MRS. GRAY: They are in institutions, as I understood Mr. Hollender, and I would be glad if he would correct me if I am wrong - but I understood him to say that they are not suitable for adoption and they are in institutions, such as for delinquent children and retarded children, and he mentioned a 17-year-old in and out of a State school. If that child had been free for adoption or under guardianship for more than ten years, I quarrel seriously as to why that child had not been placed in a home at the age of 7, 10 years ago, when she possibly was not so emotionally disturbed that she was in and out of a State School for Girls.

SENATOR MARAZITI: As to the 1000 children, you say there are a number of reasons why you think the adoptions have not proceeded as rapidly as they should. You said,

they feel, "Well, we have a thousand that haven't been adopted yet, so why bother about the rest."

MRS. GRAY: Yes.

SENATOR MARAZITI: Was this told to you?

MRS. GRAY: No. I said this is my hunch.

SENATOR MARAZITI: There are 932.

MRS. GRAY: I don't know whether I have to give a name. I cannot give a name.

SENATOR MARAZITI: The name is not necessary.

MRS. GRAY: This was told to someone who called us, that someone - and I cannot reveal this or I would - that someone at the Bureau of Children's Services District Office said, and this was a District Office - quote, "Why should we get the guardianship. We have so many already. We can choose you a child from one of them and we really don't bother to get guardianship until we know that we have a home for that child." Because to get guardianship, you may have a Bureau of Children's Services case worker who is already overworked, overcaseloaded, and we agree that they should have more caseworkers and possibly better paid caseworkers, but they have to sit in court for sometimes three days. So if you don't have a family for that child, why bother to get guardianship?

SENATOR MARAZITI: Maybe we should get some speedier judges.

MRS. GRAY: Well, the judges you might be able to make speedier by having this thing that it has to be brought to judicial review and they don't have to sit and think.

If the parents disappeared for two years and you can't find the mother - maybe he will find some of them have disappeared for seven years that you've got in foster care - and if you can't find the mother, why in heaven's name track her down to bring her back to claim a child that she hasn't seen in seven years.

SENATOR MARAZITI: That's right. In other words, to summarize this, I think we agree on this, that as many children as possible should be moved from the foster care category to the guardianship category and then from there as quickly as possible into the adoption procedure.

MRS. GRAY: Right. And may we say we do not advocate taking these children away from their foster parents if foster parents want to adopt them. Because if a foster parent was considered good enough to take that child in the first place, to care for the child --

SENATOR MARAZITI: I agree with that. I do think this is the policy as far as I understand it.

MRS. GRAY: Right. But we are for these foster parents if they are willing --and this is why we need subsidized adoption, because if a child has been in a home for five or six years and has deep emotional ties, that is his family mentally. It is not his family legally. And if that family cannot afford to adopt that child financially but they have adopted the child emotionally, they should be helped to guarantee that child's legal stability, if you will.

SENATOR MARAZITI: Thank you very much. I appreciate

your comments.

Is there anyone else who wishes to testify at this time? [No response.] I would ask Mr. Hollender if he could answer several questions for us.

MRS. GRAY: May I make one more comment here? The statistics and so forth that we have gotten are not statistics that we have manufactured up in our heads. They are all statistics which we have received most of the time on the telephone, sometimes in writing, from Bureau of Children's Services and private agency personnel. So if they are wrong, they are wrong because they have been misgiven to us.

SENATOR MARAZITI: I believe Mr. Hollender will have available for us additional statistics that we will make available to you or anyone else.

MRS. GRAY: Fine. We would be delighted. Thank you.

SENATOR MARAZITI: Mr. Hollender, I wonder if you could come forward.

There are several points that perhaps we could discuss now. I would like you to appear again at the next hearing and you can have some of the information that we requested. The date of the next hearing has not been determined, but it will be announced when the date is determined.

There were several points that I would like to ask you about. You estimated that the over-all cost, including administration, for a child would be about \$2500 per year. This would include maintenance and share of administrative cost.

HENRY R. HOLLANDER: Right.

SENATOR MARAZITI: If we used that figure - it might be a little high - and we applied it to the 10,000 cases that are in foster homes - it might be a little less --

MR. HOLLANDER: The 4,000 in guardianship, you mean.

SENATOR MARAZITI: Yes, the 4,000 - I have 10,000. Well, if there are 14,000, I figured this out to be \$35 million. Is my mathematics about right?

MR. HOLLANDER: I haven't figured it out.

SENATOR MARAZITI: Of course, this doesn't mean that we can get all these 14,000 children out on adoption. I know that and perhaps we couldn't. But what I am saying is, we have the 4,000 category and all of them can't be adopted. I know that. Then we have what I call 10,000, maybe it is only 9,000, children in foster homes and perhaps many of them can be moved from the foster care category to the guardianship category and then from guardianship into adoption and if we do that, we will have permanent homes and we will, of course, save a tremendous amount of money. I know there are a great many steps that must be taken from the beginning to the end and perhaps they cannot be taken in all of these cases.

Now some question has been raised as to how many are available for adoption now and I know that is a very loose term, but I believe you wrote me or said about 932, is it?

MR. HOLLANDER: 980 some. That is one of the things on the chart.

SENATOR MARAZITI: Well, that is close enough -- almost 1,000.

MR. HOLLENDER: Right.

SENATOR MARAZITI: Roughly a thousand. And these are in process -- Are these in process? No. These are children that ---

MR. HOLLENDER: These are children who were identified as available for adoption.

SENATOR MARAZITI: Legally.

MR. HOLLENDER: Legally.

SENATOR MARAZITI: But maybe not actually.

MR. HOLLENDER: Identified as available for adoption by the criteria we had set up for them to identify.

SENATOR MARAZITI: Approximately half, would you say, are non-white?

MR. HOLLENDER: Yes, over half, five hundred and some.

SENATOR MARAZITI: This is true basically of all your statistics?

MR. HOLLENDER: That's right.

SENATOR MARAZITI: There has been testimony here and opinions about whether it is difficult to place non-white children or not. There is no problem apparently with the white children. Is that right?

MR. HOLLENDER: That's right basically.

SENATOR MARAZITI: Now I asked you this before but I think in the light of what we have heard I will ask you to give us your opinion as to what the problem is with placing the non-white children.

MR. HOLLANDER: The basic problem is finding the families who are willing to accept these children for adoption.

SENATOR MARAZITI: This young lady testified she thought - and I don't mean to set one against the other and I want your opinion and her opinion. Maybe I'll have mine which will differ from both.

MR. HOLLENDER: If anyone has been able to do this, we haven't been able to find them out yet. We have reviewed the literature and New York has conducted extensive campaigns to locate families to adopt their minority group children. After a year and a half of intensive effort, they had received 1400 inquiries from families who responded to their intensive campaign. This resulted in 480 adoptive applicants, couples, to the various social agencies in New York City and resulted in the placement of 31 children over the year and a half period. This is New York.

San Francisco did an extensive campaign. They called it March. These have been reported in periodicals. After an extensive campaign to find homes, adoptive homes, for their minority group children, it resulted in 866 couples, I think, who were referred to the agencies and resulted in a total of 64 placements.

SENATOR MARAZITI: Excuse me. How many couples?

MR. HOLLENDER: 866 couples were referred to the agencies.

SENATOR MARAZITI: Now we don't know whether -- There were 64 accepted?

MR. HOLLENDER: The ones resulting in placement were 64.

SENATOR MARAZITI: What we don't know is if this large gap is accounted for because of what this young lady said - maybe they are too fussy, to use a plain, simple term. They shouldn't be. I don't think this is the case. But it does seem strange there were so many applicants and so few placed.

MR. HOLLENDER: I am not jumping to any conclusions about the reasons for this. I am saying that this has been the experience countrywide. If the agencies are screening families out that should not be screened out, they are doing it in San Francisco, they are doing it in New York, and in various other places.

SENATOR MARAZITI: I am sorry to jump all over, but I figure we can save a little time here.

The 500 children in the other category that are according to your standards available for adoption, are applications pending now for adoption of all 500 or are there several hundred available that haven't been reached?

MR. HOLLENDER: We have a pool of families who have been studied for the white child who are available to be considered for the white child as the white child becomes free for adoption and ready to place. Now these children do move at a steady pace. They are at all stages. In the review of the cases that we did, we found a good many of them are in adoption homes and another group has adoption homes selected for them. Another group is in various stages of being clarified.

SENATOR MARAZITI: Here is what you can do -- Are there 500 applications pending in court for adoption?

MR. HOLLENDER: Are there 500 pending in court for adoption?

SENATOR MARAZITI: The next question I want to ask before I even get the answer: If not, why not because of the tremendous number of people that want these children? I want to say this at this point so you understand: I am not being critical of the BCS or of you or any official there. I am just asking these questions as they occur to me so that we can improve conditions. I want to make that very clear. I am not being critical. You understand that.

MR. HOLLENDER: Right. I think maybe it would be helpful to talk about what we and most of the other agencies do go through in order to "make a child available for adoption." And what we go through is altered by how the child comes to us. It makes a big difference in how quickly we can place a child for adoption whether the mother comes to us ahead of time with facts about the circumstances of conception and this kind of information or whether or not we get a foundling who has been left alone. If there is a foundling, we need to find out certain kinds of information about this child before we can present to a couple information enough for them to decide whether or not they are willing to accept the child. There are very few couples who come to us with no restrictions whatsoever on what kind of child they will take. There are very few couples that we know of who come to any adoption agency that

have no restrictions whatever on the kind of child they will take.

SENATOR MARAZITI: I understand there is a problem. What I am trying to get at - and perhaps we don't have the information now ---

MR. HOLLENDER: We have to do studies of the children who come to us under questionable circumstances.

SENATOR MARAZITI: I know you have to know because of the restrictions that couples place on the kind of child.

MR. HOLLENDER: We want to know whether they are healthy or if they are not, what kind of health condition they have.

SENATOR MARAZITI: Perhaps you could get for us, not now but whenever you get the chance soon, how many of these 500 are in court? In what stages are they? In other words, I really believe that we ought to move them - I don't mean helter-skelter or with tremendous haste - but with all due speed. There are so many people that seem to want to adopt, the faster we move it, the better for the child and the more money we save. Then if you have a problem there on personnel, then that's a different thing. But it seems to me with so few children available, maybe the first thing to do is get them moving and then make more available or make them available at the same time.

MR. HOLLENDER: All right.

SENATOR MARAZITI: On the question of retarded children, in fairness to the BCS and yourself, am I correct in stating

you are not opposed to the adoption of retarded children?

MR. HOLLENDER: Not in the least. We very recently placed a child who had a tested IQ of 46 or 49, something like that, which I am sure everybody will agree is classified as retarded and we just consented to this adoption very recently. So I don't think anyone can correctly accuse us of -- I think it would be helpful if we stated our position on adoption.

SENATOR MARAZITI: On adoption?

MR. HOLLENDER: On adoption. Who is adoptable? Any child who is free for adoption is adoptable if there is a family to adopt them as far as we are concerned. Our problem is finding the family to adopt them.

SENATOR MARAZITI: You know what I really think, Mr. Hollender, and I really mean this - I really mean it - as a lawyer and a person who circulates among the people of this State, there are a tremendous number of people who want to adopt children. There is something wrong some place. That is something that I have to sort of testify to myself. There are so many that want them that it is difficult for me to realize what is going on. I think like this young lady stated that there is a tremendous amount of red tape that has built up over the years that you have had to cope with. Let's put it that way. I can't buy this idea that we are looking for the families. It flies in the face of facts as many of us know them. Now if there aren't enough children, I can see that. But I can't see the other thing, except in the difficult categories.

MR. HOLLENDER: As far as white children are concerned, I don't know of many, if any, children that we aren't able to place. Some of the physically handicapped children, it has taken us some time to place, to find a couple that will take the severely physically handicapped child. But it is the non-white child, primarily the full negro child, that we are not able to place for adoption. Now we will place any of these for adoption with any couple who is willing to take them and raise them as their child so long as they can demonstrate some child-caring abilities. Our criteria is child-caring abilities, not bankroll or anything else.

SENATOR MARAZITI: Something was said about this idea where we have guardianship, should we attempt to wait a reasonable length of time to return the children to the natural parents. The motive is certainly a good one. You would like to see this done. But it seems to me that once guardianship has been established and the rights of the parents have been severed, it might even be unwise to have these children even associate with the parents. I am thinking of that 2360 or 2300. And I am just wondering and suggesting this consideration at this time - wondering if it wouldn't be wise for the Bureau of Children's Services to consider reviewing its policy in that regard and move these 2360 along and put them in the category of the thousand we have because I think the court has made this adjudication, from now on, no more - the child is not yours. I think unless there is some statutory authority for it, I suppose the Bureau could have a policy -

I doubt if it could though - I am wondering if you could have a policy to do that, but maybe you can have. But I am wondering if this wouldn't be something to think about in the meantime. Perhaps you ought to move these 2360 over into the adoptable category, immediately adoptable. Let's put it that way. Because you know what we are doing all this time, we are supporting those 2360 and we are depriving them of permanent homes unless we are saying to them, "We hope you get back with mom and papa."

MR. HOLLENDER: Our contention is we are not depriving them of permanent homes.

SENATOR MARAZITI: We are because we are waiting - what for, I don't know. What are we waiting for?

MR. HOLLENDER: Half of them are negro children waiting for a family to show up.

SENATOR MARAZITI: But these are non-negro children, the 1200 non-negro children.

MR. HOLLENDER: O.K. The 1200 are in all ranges. Some of these are children who are being processed or in the stages of being processed for adoption. Some of them are families that have grown up in foster care where they shouldn't be separated. Others are children with severe problems.

SENATOR MARAZITI: Do you know what we are doing?

MR. HOLLENDER: I think what would be helpful or might be helpful is for us to prepare some information on the kinds of children we are talking about.

SENATOR MARAZITI: I think you are right. I think you ought to summarize it and then we'll take it up from there.

What we ought to do is get some information maybe a little different from what we have here. Start out with 26,000 -- how many are with their families over which we don't plan to have any more control than we have to, and then how many do we have guardianship of, and how many of the foster care children do we have and what ages and how long have we had them, and what ought we to do with them. In other words, my thinking is if we can move from foster care to guardianship and from guardianship to adoption as quickly as possible, this should be our ultimate aim. And because it hasn't been done, I want to say very clearly, is no criticism of your Bureau or of you. I want to make this very clear. We are trying to improve the situation. We are not trying to say who did what because free exchange of information is going to help us in this area.

I know there are many problems that can't even come to the surface here. But the main thing is, I think, to get these children into permanent homes in a legal capacity as children as quickly as possible once we sever parental rights and to move from foster care to guardianship.

MR. HOLLENDER: We will prepare something additionally.

SENATOR MARAZITI: Then I think in the meantime, you could probably take a look at the 2360 and see what we can do to move them along. You are probably going to need a few more lawyers. But I would like to have your thinking on that too. There are things that have to be done here and you have to have the means by which to do it.

So if you prepare those figures and that information, then we will announce the next hearing and we will have others who wish to appear and then we will proceed from there.

I have nothing further unless you do. I don't want to cut you off.

MR. HOLLENDER: I don't think so at this point.

SENATOR MARAZITI: I want to thank you very much for appearing here. I appreciate your being here. Let me say again we are interested in doing all we can for the benefit of the children.

This young lady has her hand up. Is that the computer? What is it? If you want to ask him a question, ask me and then I'll ask him.

MRS. GRAY: I would like to respond to one point.

SENATOR MARAZITI: May I say this - there is nothing I love better than a debate, but I don't want anybody to get the idea that this is a debate.

MRS. GRAY: It is not a debate. This is in answer to a question and it is kind of important.

SENATOR MARAZITI: Do you want to ask me or him?

MRS. GRAY: It is just a reply for the record.

SENATOR MARAZITI: I'll do this: You have been very kind to be here and testify and if you want to make a statement, you can. But, Mr. Hollender, as far as I am concerned unless you want to say anything further, that is all.

MR. HOLLENDER: Thank you.

SENATOR MARAZITI: Mrs. Gray, you may sit in the seat of

honor if you wish. I could hear you better.

[Mrs. Gray returns to the witness chair.]

MRS. ALLAN GRAY: Because one of our activities includes supporting people who are in the process of adoption and, well, not holding their hand, but telling them not to get discouraged with the process, we have some kind of an idea, and it is probably not even the full number, of responses just to the Newark Star Ledger one because we do send out invitations and we send out mailings and so forth. And, as I say, if anything, the number I am going to give you now is on the low side.

For the first child that was featured in the Star Ledger, I believe it was three or four weeks ago, an interracial child, supposedly a hard to place child, over 90 responses were received. Now this is obviously not a child where there are no people out there who want him.

SENATOR MARAZITI: This is a good point.

MRS. GRAY: The second one was the handicapped white baby, eight months old, possibly no one wanted him when he was born and he was just discarded from society - impossibly handicapped. I think the last time I heard - because as I say we have been sending out our literature - there were over 50 replies for this child.

Now a black child was featured last time and I am not sure what the responses were, but I know there were more than a dozen, and this was with the mail strike, with the slowdown. May I add that the handicapped child was featured the Sunday

that the mail strike was at its height.

SENATOR MARAZITI: Let me ask you this and if you don't think you should answer it, don't. You may want to think about it.

MRS. GRAY: Go ahead.

SENATOR MARAZITI: What do you think we should do, turn over the names to the BCS or not?

MRS. GRAY: Well, I believe from this they have been turned over to private agencies. There has been a cooperating group of agencies, as I understand it, formed to handle their replies. But I firmly feel that in all publicity campaigns to solicit homes for children the responses should not go directly to the private agencies or the public agencies at this point. They must go to some other person so that some kind of a check is able to be kept on whether the applicants are really served or whether the assumption is made that they are not fit or they are screened out - an outside person. And hopefully this would be that commission that we proposed the creation of. Responses could be sent to this commission if it were created in the future.

SENATOR MARAZITI: I am one of these people that don't worry too much about form and I don't want anybody to get the idea that I don't think the BCS is properly set up. It may have to be strengthened. But whether it is a commission or BCS or a committee or a joint committee - I think you have the right idea that maybe we should reach out into the community --

MRS. GRAY: The people are there.

SENATOR MARAZITI: [Continuing] -- by some method of communication and get results because we are getting results through what is being done.

MRS. GRAY: That's right.

To the point that was made in the New York Study so few people actually took children or received children - I prefer to use that word - I am convinced that a far larger number of the applicants could have received children and gotten children as a result of these publicity campaigns. I know that the phone literally jumps off the hook in the New York Welfare Department on the Monday morning after a child is featured. I have gotten this from workers who are actually there in the department. They can't do anything the phone rings so much.

SENATOR MARAZITI: Of course, one thing does occur to me: If this is such a successful method, has it worked in other states?

MRS. GRAY: Yes, it has.

SENATOR MARAZITI: It has? What about these statistics?

MRS. GRAY: This started in Ontario when they suddenly woke up one day, about 1954 I think it was, and they looked around and they decided or realized that they had about 1500 children who had been classified according to their system as legally non-adoptable, which means they were hard to place in our language. They decided, well, we'd better get adoption minded because, if we don't, it is going to cost us a lot of money. And they started featuring them in the papers.

SENATOR MARAZITI: I think you are on the right road.
I do think that reaching out is going to help.

MRS. GRAY: They are there.

SENATOR MARAZITI: I have the feeling because of
the hearing we have had today that we are going to take a
giant step forward in this area. Thank you and thank you
all for coming this afternoon.

The hearing is adjourned.

[Hearing adjourned]

JUN 27 1985

