System Change through Collaboration... Eight Steps for Getting from There to Here

BY JUDGE SHARON S. TOWNSEND AND KAREN CARROLL, J.D.

ABSTRACT

Family courts and child welfare agencies across the country are charged with protecting the safety of our children. That mission has become more challenging with increasing federal legislation and decreasing funding. In Buffalo, N.Y., the Family Court and the Department of Social Services have teamed up to respond to this challenge. With minimal additional staffing and resources, they have led a collaboration of agencies and service providers to change the way business is done in child welfare. By engaging each other in an interagency system change effort, the amount of time children spend in foster care has been reduced. The collaboration has been able to accomplish in a relatively short time what no agency had previously been able to accomplish on its own. The beneficiaries have been the children and families of Erie County.

How did Erie County get from there to here? It started in February 1998 when the Supervising Judge of the Family Court and the Commissioner of the Department of Social Services, the local child welfare agency, committed to a process of long-term system change. With the support of Hon. Judith S. Kaye, Chief Judge, New York State Court of Appeals, and the Permanent Judicial Commission on Justice for Children, the Erie County Family Court Improvement Project was born.

At that time, the number of children in Erie County foster care was approaching 2,500 in a community of 900,000 residents. Seventy percent of the children were three years of age or older. Children placed in a foster/adoptive family could expect to remain in the system for six-and-a-half years through the finalization of their adoption. All agreed that the current situation was unacceptable, particularly for the children.

In the same year, New York State passed its enabling legislation for the Adoption and Safe Families Act (“ASFA”).1 The primary goal of ASFA is to prevent child...
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dren from lingering in foster care without a permanent home.\textsuperscript{2} ASFA accomplishes this goal by expediting the adjudication of neglectful parents and requiring immediate efforts toward reunifying the child with his or her birth family. If reunification efforts prove unsuccessful, states must promptly seek termination of parental rights to free the child for adoption.\textsuperscript{5}

To achieve the ASFA deadline of filing a termination petition for every child who is placed in foster care for 15 of the previous 21 months,\textsuperscript{4} Family Court and the Department of Social Services determined that it was necessary to work in partnership with all of the service providers and stakeholders. The timelines could only be met by holding expedited hearings, “front-loading” services, and scheduling frequent case reviews to ensure that families were immediately receiving and completing the necessary services for reunification.\textsuperscript{5}

Major changes in federal legislation, coupled with fiscal constraints, have challenged local child welfare systems and juvenile courts across the country to engage in systems change. Courts have recognized that the entire system is jointly accountable for the outcomes of services rendered to children and families. “Systematic change is required to bring about a better means of serving children and families, and that such change can occur through interagency collaboration.”\textsuperscript{6} In order to begin such a transformation process, challenges and opportunities affecting the organization must be communicated throughout the community and a sense of urgency about reforms established.\textsuperscript{7}

The Family Court and child welfare agencies have not traditionally been collaborators. They have not worked toward common, mutually beneficial goals.\textsuperscript{8} They have not traditionally shared responsibility, authority, and accountability for success and have had limited ability to share resources.\textsuperscript{9} To engage in a collaborative systems change, courts and agencies must do all these things. Wood and Gray conclude that, “Collaboration occurs when the group of autonomous stakeholders engages in an interactive process to act or decide on issues related to the problem that the group is coming together to resolve.”\textsuperscript{10}

According to Himmelman’s Hierarchy of Multi-Organizational Partnerships,\textsuperscript{11} (see below) joint efforts culminate in collaboration when “each organization wants to help its partners become better at what they do.”\textsuperscript{12} The keys to establishing a true collaboration are the equal commitment of trust, time, and resources by the involved stakeholders.\textsuperscript{13}

A genuine multi-disciplinary collaboration within child welfare agencies encourages existing community programs to band together to direct change for children and families.\textsuperscript{14} By banding together, each participant accepts certain personal risks. For example, public and private agencies are linked as partners, funding is “pooled” among agencies, and measurable outcomes hold political and agency leaders accountable for results.\textsuperscript{15}

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<th>Himmelman’s Hierarchy of Multi-Organizational Partnerships</th>
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<td>Networking</td>
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However, successful collaborations in child welfare result in raised awareness and learning by each stakeholder. Each agency, not only the system, is changed in a way that better serves families and children. The keys to successful system change in child welfare are strong leadership, effective communication, involvement of stakeholders, adequate training, and a clear definition of the compelling reason to change.

There were eight crucial elements of system change in Erie County. All of these elements were present in the broad-based initiative and have been incorporated into the smaller projects that were undertaken to address identified needs. These steps constitute the roadmap for getting from there to here.

### Eight Steps Toward Interagency Collaboration In Child Welfare

1. Judicial Leadership
2. Relationship Building
3. Mission and Goals
4. Collecting the Data
5. Identifying Benchmarks
6. Collaborative Projects
7. Cross-Training
8. Communicating Success

**1. Judicial Leadership**

A collaborative leader is one who inspires commitment and action, leads as a peer problem-solver, builds broad-based involvement, and sustains hope and participation. In order for the collaborative to be a vehicle for system change, the leader lends his or her influence and authority, perception of fairness, and credibility to the mission of the organization.

Arguably, the individual in the best position to assume the leadership of comprehensive change in the child welfare system is the presiding juvenile or family court judge. He or she plays a unique role in preserving the interests of all involved: the child, the parents, and the community. By virtue of his or her title, the judge holds a position that invites community leadership. Judges hold a position in society as individuals of authority and fairness. Their involvement in this process lends not only credibility but also a “mandate.” However, judges are not leaders merely because of their position. The skills that serve them on the bench qualify them to be effective leaders in a variety of capacities.

A leader whose focus is on collaborative systems change requires unique skills. That leader must be able to make decisions, inspire and empower others to act, stick to the message, share the success, and continually reinvigorate the process. Collaborative leaders must be “systems thinkers” who focus on underlying trends and forces of change rather than on the process of daily practice.

A strong leader ameliorates the difficulties of recruiting critical stakeholders, maintaining active member involvement, promoting a collaborative work culture, and achieving collaborative outcomes. Often, bringing the necessary participants around the same table and initiating a conversation among them is the first major hurdle. When this is not accomplished, collaboration fails. Meeting is not a success in and of itself. Success occurs when teamwork begins, ideas are exchanged, and members of the group take ownership of problems and their solutions.

When a judge invites individuals to a meeting, they will come.

**2. Relationship Building**

Successful change begins by engaging key stakeholders. “A stakeholder is any group or individual who can affect or is affected by the achievement of the organization’s objectives.” Those stakeholders who become invested early in the process can have great impact on the development of the group’s mission and objectives. Those who are not invited to participate or reject the offer often become another barrier to change. “When all stakeholders are involved in an organization’s direction-setting process, the best thinking of all concerned is brought to the table.”

In Erie County, the success of the project is a direct result of the relationship between the Supervising Judge and the Commissioner of the Department of Social Services (DSS). Unlike the relationships of the past, this relationship has been focused on the interplay of the various systems that comprise child welfare. As co-chairs of the project, the Court and DSS have modeled collab-
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People don’t change unless their leaders model that they are serious about the change.29

On June 24, 1998, the newly-formed collaborative Court Improvement Project held its first “stakeholder” event, a luncheon for more than 150 stakeholders. Sharing the dais, the Supervising Judge and the Commissioner of Social Services informed the audience of the state of the child welfare system in Erie County. The joint mission statement was unveiled, “…to provide children with safe, healthy, permanent families in the shortest possible time.” Representatives of both agencies shared information on case backlog and the financial costs of such a backlog. Additionally, the child welfare community received the first of many trainings on the Adoption and Safe Families Act (ASFA). The Judge and Commissioner introduced four projects for immediate consideration by the community: expediting adoptions, implementing a child permanency focused mediation program, coordinating service access for hard-to-place and hard-to-serve children, and designing a comprehensive health care initiative for foster children.

In order to encourage the involvement of stakeholders in the project and continue their momentum and commitment, Erie County’s project has adopted a three-pronged approach to providing stakeholder incentives: respect, food, and praise.

First, each stakeholder comes to the table with internal demands shaped by the agency each represents. Funding, staffing, and philosophy are issues shared by all but are also unique to each organization. Without allowing them to become barriers, the members of the collaboration must allow each other to sort out these internal issues. Stakeholders must have the respect and trust of the collaborative to inspire change within their own agencies. Support between the agencies and aspiring to a common goal often are all that are needed to overcome these common barriers.

Second, sharing food, or “breaking bread” together, adds to the collegiality. Over the course of the project, many subcommittees have creatively provided lunch or snacks as an added incentive to participation. This is especially important in child welfare collaboratives since many stakeholders are typically unavailable during the day when court is in session. Whenever possible, the court and department provide meals to demonstrate an appreciation for the commitment of the stakeholders. When budget constraints do not allow, the Erie County subcommittees continue to order lunch with members contributing to defray the costs.

Finally, each stakeholder must be allowed to take ownership of the direction and success of the project. It is important that the collaborative environment encourages participants to share unconventional ideas and feel part of the change, rather than being passive recipients of the “change vision” of others.

The Erie County Court Improvement Project Stakeholder Committee is comprised of more than 175 representatives of the court, social service agencies, other state and county agencies (i.e. mental health and public schools), the legal community, and service providers. These stakeholders are divided into working subcommittees focusing on a variety of areas of identified needs. These multi-disciplinary subcommittees have developed action plans that include recommendations for best practices and have implemented various projects based upon these recommendations.

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<td>• Expediting Adoptions</td>
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The actions of the stakeholders are overseen by the Steering Committee, a smaller group of 25 members who represent the department heads of all the major stakeholders, including the subcommittee co-chairs. This decision-making group, which meets bi-monthly, considers recommendations, oversees the subcommittees’ work, surveys ongoing changes within the system as a whole, and directs the future course of the system change. It is this group’s responsibility to remove obstacles to change and to empower others to act on the vision.30
3. Mission and Goals

Mission statements describe the organization’s fundamental purpose, serving as a clear indicator of its philosophy. Its design must precede the development of the project goals. It becomes “the foundation upon which all other intended actions are built.” The design of a representative and accessible mission statement is crucial to project success. Research states that disagreements regarding vision and philosophy often lead to failed efforts.

Prior to the first stakeholder meeting, the Judge and Commissioner drafted a mission statement to describe their partnership: “To provide children with safe, healthy, permanent families in the shortest possible time.” The mission statement is simple. It is not accusatory; it defines a measurable outcome for all children; and it cannot be accomplished by any one stakeholder or system. The mission statement has appeared as the first slide of every PowerPoint presentation, on the minutes and agenda of every committee meeting, and is reinforced by the Judge and Commissioner in every speech, correspondence, or discussion.

As a Victims Act Model Court for the National Council of Juvenile and Family Court Judges, Erie County participates in the annual All-Sites Meeting each Fall. This event allows the Model Courts to exchange ideas, learn about innovative research or thinking, share accomplishments, and assist one another in removing barriers. At the conclusion of the meeting, each court designs their goals for the upcoming year.

This annual goal-setting exercise results in two major benefits for the ongoing collaboration. First, it keeps the project interesting and fresh for the leadership and stakeholders. New annual goals result in additional or revised charges to the subcommittees. New stakeholders are frequently invited to the table to work toward the new goals.

Additionally, annual goal setting creates accountability. Each year the court must account to the National Council for goals set the prior year. The project further accounts to the child welfare community. The subcommittees account to the project. With this chain of accountability, the project is able to assess its successes, recognize its failures, and recommit to its original mission on an annual basis.

4. Collecting the Data

In order to see where you need to go, you need to assess where you’ve been and where you are. The most important collaborative agreement is to jointly define the elements of data to be collected and the means of collecting those data. Evaluating the project goals and outlining the data elements necessary to support the subsequent outcome measures can help to identify initial data needs. Frequently, no single data collection system will be sufficiently comprehensive to provide all the measurements. Data may be pooled across systems and jointly reported by the collaborative.

Throughout the Fall of 1998, the Court and DSS project liaisons worked jointly to develop a list of 746 legally freed children who had a goal of adoption. This project was assisted by data shared by the New York State Office of Children and Families. Once identified, the information on the status of each child was captured in an Access database format. Updated information was shared between the Court and DSS using Excel spreadsheets. For the first time in the history of Erie County, the Court and DSS had identical information regarding the status of freed children. A joint adoption project was
developed to reduce the backlog. Most importantly, the Court and DSS were focused on achieving the mission of providing these 746 children with “safe, healthy, permanent families in the shortest possible time.” This system has been upgraded and maintained over the last four years and continues to be the key to the successful expedited adoption project.

5. Identifying Benchmarks

Once an interagency review and evaluation of the data has demonstrated deficient areas within the system, collaborations are challenged with the question: What do we do now to address these deficiencies? It is most efficient to find other organizations that have undertaken or are in the process of undertaking similar systems change efforts. This allows a new initiative to benefit from the experience of a successful project in overcoming barriers, garnering resources, and designing creative responses to challenges. By identifying successful “benchmark” projects that have resolved the issue or a similar issue identified by your collaborative, the group can begin to develop more personalized strategies. Certain ideas can be “borrowed” from the benchmark project and molded to fit another jurisdiction. Sources of benchmark information include:

- Professional organizations;35
- Scholarly research;36 and
- Project requests from national and local foundations.37

Organized site visits to benchmark courts can provide a team with practical insight into methods of solving a particular problem. When describing a successful change initiative at General Electric, it was reported that:

GE sent people to visit companies that had achieved and sustained faster productivity growth. The GE representatives asked companies to share their secrets for success. Then, GE turned the best practices of those companies into a course [to train their own employees].38

Gaining a better understanding of best practice work is not only beneficial in private industry, but can be crucial in mirroring excellent child welfare practice. To further its goals, the project has used site visits not only as a way to provide information, but also to “convert” recalcitrant stakeholders.

In 2000, six stakeholders from various agencies and the court flew across the country to Santa Clara, Calif., to observe one of the nation’s foremost child welfare mediation programs. Included in this group was the Supervising Judge, the CEO of Catholic Charities, the Family Mediation Program supervisor from Catholic Charities, a private attorney who represents parents, the supervisor of the law guardian unit, and a county attorney who represents DSS.

In Santa Clara, nationally recognized mediators and staff instructed the group on their philosophy of mediation. They had the opportunity to discuss the benefits and risks of mediation with their professional counterparts. Several witnessed an actual mediation. Additionally, by no means of secondary importance, members of the group had time to get to know each other outside the courtroom. Personal and professional barriers were broken down. Discussions were possible that might never have occurred within the routine of the daily setting.

As a direct result of this training and experience, Erie County’s Family Mediation Program was inaugurated in November 2000 and was able to overcome many obstacles which would have otherwise hindered the acceptance of the program. Since that time, agreements have been reached in 87% of the cases mediated. Of particular note, mediation has led to a large percentage of voluntary surrenders in termination of parental rights cases. Such resolutions are of great importance in achieving permanency for children.

6. Collaborative Projects

In order to initiate a lasting process of change, leaders must plan for and create short-term wins.39 Stakeholders will expect some measurable success within the first year to justify their continued commitment. “Without short-term wins, too many people give up or actively join the ranks of those people who have been resisting change.”40 This success must be felt across the community of stakeholders, and the victory needs to be shared broadly.
Systems thinking also shows that small, well-focused actions can produce significant, enduring improvements, if they are in the right place. Systems thinkers refer to this idea as the principle of “leverage.” Tackling a difficult problem is often a matter of seeing where the leverage lies, where a change—with minimum of effort—would lead to lasting, significant improvement.41

After the foster care adoption data were compiled by the project liaisons and shared with the community, the Judge and the Commissioner agreed to begin a joint project to expedite adoptions. Entitled “Spring into Permanency,” the original commitment was to finalize a record number of adoptions in the early months of 1999. Undeterred by the unanticipated enactment of New York State enabling legislation for ASFA in February 1999, and the subsequent delays caused by the mandated criminal background checks of all potential adoptive parents, the court finalized 225 adoptions by the end of 1999. This represented a 30% increase from the previous year.

A key to the success of the effort was the initiation of quarterly “adoption days,” special days on which the courts reserve a portion of their calendar to hear only adoption cases. The adoptions of 102 children were finalized during four Adoption Days held in 1999. The families were treated to a celebration with treats, presents, and balloons donated by court staff and community sponsors.

This success was achieved through the efforts of many stakeholders: DSS was offered court improvement funds to provide overtime to adoption caseworkers to finish paperwork; DSS Homefinding Unit erased the backlog of 200 cases awaiting home studies; contract agencies also dedicated personnel and resources to finalize waiting adoptions; and Family Court changed internal processing of adoptions to achieve prompter scheduling. Finally, Family Court treated the DSS adoption caseworkers to a celebratory breakfast.

“Spring into Permanency” has developed into a three-year campaign to expedite adoptions for more than 900 children. The collaboration has been recognized for this success throughout the community. The Buffalo News reported, “Today, however, hundreds of children who were in foster care before changes in the system were implemented are either back with their birth parents or a relative, adopted or in the process of being adopted.”42

7. Cross-Training

In order for systems change to result in better practice across the disciplines, part of its mission should include the education (or re-education) of its community. A project can strive to achieve Himmelman’s ultimate goal of interagency collaboration by adopting the philosophy of a “learning organization.” A learning organization is one in which individual and systemic learning is woven through every level of the organization’s structure.43 Continued learning and individual professional development becomes a goal in and of itself.

In order to assist each stakeholder in becoming better at serving the needs of children and families, the project has supported and provided inter-disciplinary training on a wide array of topics, from basic practice issues to theories of change. The trainings were focused to support project initiatives.

To support the opening of the Family Treatment Court, in May 2001 the project conducted two stakeholder trainings that were sponsored by the National Council. The first, entitled “Twelve Months to Permanency: The Realities of Substance Abuse Treatment for Dependent Families,” covered issues including the basic process of addiction in recovery, building multi-disciplinary interventions for drug affected families, and the effect of ASFA and welfare reform on recovery. The second, “Fetal Alcohol Syndrome and the Family Court System: Understanding How to Help Our Families and Their Children,” featured the local director of the Children’s Hospital specialty clinic, a national expert on children with fetal alcohol syndrome (“FAS”) and related conditions, on the identification and diagnosis of FAS and strategies for effective advocacy on these children’s behalf. These trainings focused the attention of the community on some challenges affected families face in achieving sobriety within the framework and timeframes of the child welfare process. This education translated into a broad community acceptance of the Family Treatment Court philosophy and a more sensitive approach to families struggling with addiction.
More than 1,000 stakeholders, including caseworkers, law guardians, community volunteers, judges, and service providers have been trained. Initially, caseworkers and attorneys attended grudgingly and joked that the other was finally getting necessary training. Now, agencies plan their yearly training requirements around those being offered by the project.

8. Communicating Success

Some of the primary attributes of a learning organization are the abilities of the group to synthesize best practice information, implement pilot projects, and communicate results. One of the greatest challenges of a large collaboration involving parallel systems is the communication of success. The sharing of new ideas and practice is called “generalization” or “organizational learning” and affects the stakeholders in such a way that old methods of practice are abandoned and replaced. It indicates a certain maturity of the collaboration when the members are more invested in sharing best practice information with each other than in concealing the information for the gain of their agency alone.

In the fall of 2000, the Interdisciplinary Training Subcommittee mailed out a training-needs survey to all of the stakeholders of the Court Improvement Project. Although only 75 surveys were mailed out, 275 were returned! Within the top five identified needs was a desire to learn about programs and projects developed by other stakeholders. To address this need, the Family Court hosted the “Wednesdays at Family Court” series over 10 consecutive Wednesdays. Stakeholders were invited to share program information related to certain topics through displays and leaflets made available over the lunch hour in one of the main hallways of the court. More than 200 providers presented material as part of the services fair and more than 300 attendees received information on innovative projects throughout the community.

It is also the project’s practice to encourage the co-chairs of each subcommittee to share their vision and subcommittee accomplishments with the entire group of stakeholders. By presenting their annual action plan or final report at a quarterly stakeholder meeting, encouragement and recognition is shared across a wide group. Additionally, a quarterly newsletter, The Same Page, continues the dissemination of project ideas, challenges, and results to the community. Timely articles are presented which explain current legislation or changes in child welfare case processing. The newsletter is a vehicle for continuous communication with stakeholders regarding the success of the project and invites their submissions to “brag” about their accomplishments. This newsletter is posted on the Court Improvement Project Web site, www.erie.gov/fcip. This Web site lists community events and training, the procedure and forms for individual projects, and reiterates the mission of the collaboration.

Conclusion: Dealing with Success

How did Erie County get from an environment of blame and distrust to one of communication and collegiality? Collaboration.

True collaborations are never fully implemented; changing systems will have changing needs. The collaboration must continue to learn and evolve to meet these needs. By engaging in an ongoing process of innovation and reflection, changes can be continued, expanded, or modified according to the success of the results. The collaboration in Erie County has similarly grown and expanded, learned, and evolved. The results have been impressive.

Since the Erie County Court Improvement Project began in 1998, the number of children in foster care in Erie County has decreased 44% to 1,400; more than 900 children have been adopted into permanent families; court time is focused on case planning through the use of court attorney referees hearing specialized calendars; parents struggling with substance abuse are offered...
intensive services through Family Treatment Court; and court time is saved through the use of mediation. All of these successes are the direct result of the collaboration of the child welfare system and the Court.

When the Court Improvement Project started, Erie County did not know where the project would lead or how it would get there. The 2,500 children in foster care deserved better from everyone involved in the child welfare system, from the judge to the clerk, from the Commissioner of Social Services to the caseworker in the adoption unit. Erie County is still not “there.” However, the systems are working more cooperatively than ever before as a result of the collaboration which has been built over the last four years. System change is a process. If working together is success, then the Erie County Court Improvement Project is a success.

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EDITOR’S NOTE: The Erie County Family Court is one of six Model Courts participating in an assessment of collaborative structures and processes aimed at improving court and agency handling of child abuse and neglect cases. The goal of this project is to articulate and enhance components critical to effective systems change, and to identify concrete and replicable strategies for use by other jurisdictions in their reform efforts. This project is funded by the David and Lucile Packard Foundation.
END NOTES

1 Adoption and Safe Families Act, 1997 (P.L. 96-272).
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4 Id.
9 Id. p. 39.
11 Arthur Turov Himmelman, Devolution as an Experiment in Citizen Governance: Multi-Organizational Partnerships and Democratic Revolutions, a working paper for the Fourth Annual Conference on Multi-Organizational Partnerships and Cooperative Strategy, Oxford University, July 1997.
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16 For example, see Martha A. Gephart et al., Learning Organizations Come Alive, 50 Training & Development 34 (December 1996).
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26 Wood & Gray, p. 154.
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30 Kotter, p. 61, 64-65.
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35 For example, the National Council of Juvenile and Family Court Judges, Child Victims Act Model Courts Status Report 2000 and the American Bar Association Center on Children and the Law.
36 For example, Harbert, A., Collaboration: A Study of a Children’s Initiative.
END NOTES

37 See, for example, Annie E. Casey Foundation at www.aecf.org, Kellogg Foundation at www.wkkf.org.

38 Gephart, p. 34.

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43 Gephart, p. 34.

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