



# Factors affecting permanency for legally free children & youth: A study of Colorado's legally free population across age groups, 2008–2014



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## ABSTRACT

Legally freed children and youth whose parents have had their parental rights terminated have been shown to be more likely to emancipate from the child welfare system as a result of facing a series of complex factors that affect their likelihood of achieving permanency. To better understand these complex factors, the Colorado Department of Human Services' Division of Child Welfare utilized survival analysis to comprehensively examine the factors that affect permanency for legally free children and youth. Factors affecting permanency outcomes were analyzed for more than 5700 legally free children and youth within Colorado's child welfare system during the period of January 2008 to August 2014. Overall, the majority of Colorado's legally free children and youth achieved a positive permanency outcome. However, the results of the survival analysis reveal distinct factors affecting the permanency of children and youth in distinct age groups, including: children who became legally free after birth through five years in age, children who became legally free between six to twelve years in age, and youth who became legally free between thirteen to seventeen years in age. Across all age groups, African American race, number of prior involvements, permanency goal, age, number of placements while in care, and the time spent in congregate care or family-like settings were found to have statistically significant effects on the likelihood of achieving permanency. Collectively, the findings highlight the distinct factors affecting permanency across different age groups as well as the need for future research to examine the disparate factors affecting permanency outcomes across different age groups.

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## 1. Introduction

Legally free children, whose parents have had their parental rights terminated, are in need of a permanent home. Establishing permanent homes for legally freed children (commonly referred to as “permanency”) has become a top priority within recent decades (Smith, 2003), beginning with the passage of the *Adoption & Safe Families Act of 1997* (ASFA). Key components of ASFA include establishing permanent legal connections, improving the timeliness to permanency, and decreasing the number of children and youth who exit the child welfare system without legal permanency. Despite these laudable goals, tens of thousands of legally free children and youth continue to experience lengthy stays in the child welfare systems prior to establishing a permanent connection or, in less fortunate circumstances, emancipating from the child welfare system without achieving permanency (Cushing & Greenblatt, 2009; Noonan & Burke, 2005). The length of time that a legally free child or youth spends in care prior to achieving permanency

is determined by a collection of complex factors that affect their likelihood of achieving permanency, including race (McDonald, Poertner, & Jennings, 2007), gender (Cushing & Greenblatt, 2009), physical and mental disabilities (Connell, Katz, Saunders, & Tebes, 2006), and placement setting (Cheng, 2010; Connell et al., 2006; Cushing & Greenblatt, 2009; Zinn, 2009, 2011), among others.

Age is a prominent, but commonly understudied factor affecting the permanency of legally free children and youth. Previous research has found that each year that a child spends in foster care after the termination of parental rights reduces the likelihood of adoption by 80% (Cushing & Greenblatt, 2009). The age of a child has also been shown to be an important predictor of foster care length of stay and outcomes success, with the foster care length of stay inversely related to a child's age at the time of placement (Becker, Jordan, & Larsen, 2007). Similarly, younger children who were placed into care during their first year were found to be twice as likely to achieve permanency as older children (Kemp & Bodonyi, 2000). Collectively, previous research has demonstrated the strong effect that age can have on a child's likelihood of achieving permanency.

However, the existing literature on permanency has yet to fully investigate whether different factors are associated with achieving permanency for children and youth of differing ages. A notable limitation of previous permanency research has been the tendency for studies

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to treat children and youth of different ages as a homogenous population as opposed to distinct sub-populations (Connell et al., 2006; Noonan & Burke, 2005; Potter & Klein-Rothschild, 2002). Another common approach within previous research has been to include age groups as explanatory variables within multivariate models (Becker et al., 2007; Kemp & Bodonyi, 2002; McDonald et al., 2007; Testa, 2001). While this approach provides valuable insight into the effect that different age groups can have on permanency outcomes, the approach fails to construct separate explanatory models that could be utilized to determine the factors that affect the likelihood of achieving permanency across different age groups. Collectively, the extant research perpetuates the problematic assumption that a child who became legally free at a young age experiences a similar likelihood of achieving permanency as a youth who became legally free at the age of 17, and is rapidly approaching emancipation from the child welfare system. Kemp and Bodonyi (2000) have voiced a similar concern about the tendency of child welfare research to treat children and youth of disparate ages as a homogenous group, noting a need for research that enables comparisons of permanency outcomes across different age groups. More recently, research on permanency outcomes by Casey Family Programs (Rogg, Davis, & O'Brien, 2011) has highlighted the need for research to better understand the differences in permanency across various age groups. Together, these studies underscore the need for a better understanding of the factors affecting the likelihood of achieving permanency across different age groups.

To address the critical need for a better understanding of the factors affecting permanency across different ages, this article reports on the efforts of the Colorado Division of Child Welfare's (DCW) Research and Analysis, Permanency Services, and Youth Services units to utilize a series of Cox regression models to identify the factors affecting permanency for legally free children and youth within different age groups. As part of its performance management process, DCW's units used existing program data to examine the permanency outcomes of 5773 legally free children and youth in Colorado between 2008 and 2014. Overall, the vast majority of Colorado's legally free children and youth achieved a positive permanency outcome, with 88.4% of the population achieving permanency. The results demonstrate that children and youth in different age groups are affected by different factors, with children who became legally free between birth and the age of five experiencing a different set of factors than children who became legally free between the ages of 6 and 12, and youth who became legally free between the ages of 13 and 17. In addition to identifying the unique factors affecting permanency for children and youth within each of the three age groups, this analysis also identifies a collection of factors affecting permanency across all age groups. African American race, number of prior involvements, permanency goal, age, number of placements while in care, and the time spent in congregate care or family-like settings were found to have statistically significant effects on the likelihood of achieving permanency across all age groups.

## 2. Methods

Data for this analysis was collected from Trails, Colorado's Statewide Automated Child Welfare Information System (SACWIS) in September of 2014. Trails serves as the state's case management system, with case-workers legally required to enter all pertinent information related to a child welfare case into the Trails system. To obtain the sample, the requisite data was pulled from Trails using a combination of search parameters, logic, and filters. The sample for the analysis consisted of all children and youth who were legally free between the periods of January 1, 2008 and August 31, 2014.<sup>1</sup> For the purposes of this analysis, legally freed children and youth were defined as any child or youth that

was legally free for adoption as the result of both of the child or youth's parents having their parental rights legally terminated. The total sample size for the analysis was 5773 children and youth. Building upon previous research demonstrating the disparate permanency outcomes by age type (Becker et al., 2007; Connell et al., 2006; Larsen-Rife & Brooks, 2009; Rogg et al., 2011), this analysis examined the likelihood of achieving permanency across different age groups. Legally free children and youth within the sample were divided into three age categories, based upon the age that the child or youth became legally free: birth through five years old ('<1–5'), six through 12 years of age ('6–12'), and 13 through 17 years of age ('13–17').

This analysis utilized survival analysis (also known as Time-to-Event analysis) in the form of stratified Cox regression models to examine the factors affecting the likelihood of whether legally free children and youth achieved permanency. Survival analysis provides an appropriate methodology for modeling the time to an event, such as permanency, by estimating the likelihood of occurrence for a given outcome and the factors associated with an increased or decreased risk. The methodology accounts for censored cases<sup>2</sup> that did not experience an event during the period of analysis and incorporates information from censored and uncensored cases in estimating the probability of an event occurring. A detailed description of the Cox regression models is provided within the 'Results' section of this article.

### 2.1. Operational measures

This section provides an overview of the outcome and predictor variables that were used in the analysis. Based upon a review of the extant literature as well as the professional opinions of the Division of Child Welfare's Permanency Services, Youth Services, and Research and Analysis units, a collection of predictor variables that could affect the likelihood of achieving permanency were identified.

#### 2.1.1. Outcome variables

The outcome variables for this analysis measure the time to achieving permanency which was calculated via a two-step process. In the first step, a dichotomous 'Permanency Achieved' variable was constructed with the variable coded as 0 for cases where a child or youth did not achieve permanency and 1 for cases where permanency was achieved. Cases where a child or youth did not achieve a permanent outcome consisted of cases that ended due to death, a failed adoption,<sup>3</sup> running away, or emancipation as well as those cases that were censored due to the child continuing to be legally free as of the last day of the analysis. Cases with a permanency outcome consisted of children and youth who were either adopted or placed for adoption<sup>4</sup> during the period of analysis, had a guardianship, were living with another relative, or were reunited with their parents.

In the second step, the 'Legally Free Length of Stay' outcome variable was calculated by determining the number of months that a child was legally free until they achieved a permanent outcome or emancipated from the child welfare system (Orsi, 2015). The length of stay was calculated by subtracting the date that the parental rights of both parents were terminated and the child became legally free from the date that the Division of Child Welfare ended its involvement with the child. For children and youth without an involvement end date, a censoring date of August 31, 2014 (the last day of the period of analysis) was included. The 'Legally Free Length of Stay' variable was divided by 30 to calculate the number of months that a child was legally free prior to the permanency event.

<sup>2</sup> Censored cases consisted of cases where a child or youth did not achieve permanency due to emancipation, a failed adoption, running away, or death as well as those cases that were right-censored due to the child continuing to be legally free as of the last day of the analysis.

<sup>3</sup> Children or youth that experienced a failed adoption exited the sample at the date of the failed adoption and did not re-enter the sample.

<sup>4</sup> Placed for adoption was defined as an adoption that was in the process of being finalized.

<sup>1</sup> Children and youth within the sample became legally free at any point between January 2008 and August 2014 and could have entered or exited the sample at any time between those dates.

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