

Senate Judiciary Committee

Testimony in support of SB 158

February 12, 2015

My name is JoVoli Clark. I am a teacher, who has been married nine years, a biological mother for 8 years and a foster mother for 3 years. This past July we adopted our foster son after a 2 year court battle, spending our own money to fight on his behalf. Foster parents are in the trenches with these kids every day and yet are given little say or thought when courts make the tough decisions. To help you understand, I would like to share with you our son's story.

Our son came into foster care by way of domestic violence where he was injured at only 5 weeks old. His teenage mother was drinking, under the watch of her mother, which led to our son being thrown. Both birth parents gave up their rights in less than 7 months of him being in custody and the foster family he was with wanted to adopt him. However, all biological recourses had to be exhausted before he could have his forever home. His maternal grandmother was given visits and a home study with the understanding his birth mother would no longer be able to live in that home. During this time, his previous foster family was having marital issues and gave up fostering.

Sustained severe injuries

Recruited another family in order to manipulate the system more.

Our son came to our home at 18 months. We were very accommodating with his biological family and social services. The only biological visits being given were to his maternal grandmother and we contacted his paternal grandfather and grandmother to start visits with him as well. After a little over six months of sharing pictures, crafts and our son, his maternal grandmother's home study was denied and our home study was to be considered at his best interest staffing, in addition to a friend of his maternal family whom he had never met and that lived thousands of miles away.

However, our best interest staffing was postponed and his maternal grandmother filed an appeal. We saw the violent fits our son would throw after a biological visit. We watched him hide when workers would come saying, "I no go. I no go." On top of our son being gluten intolerant and his maternal grandmother feeding him food he was allergic to, even after being informed of how sick it would make him shortly after her visit.

So when his grandmother won her appeal, we started to lose our trust in the system to do what was best. Our son's guardian ad litem had NEVER met him, never contacted us for information about him and said very little at court. We were worried he would be placed in his grandmother's abusive home, we sought legal advice and hired a lawyer at our own expense to represent our son's best interest. We started attending court and listening to how blood was all that mattered, we also got to have our voice heard through our lawyer.

After months of court, the judge ruled that his grandmother was unfit and the agency could move forward with his best interest staffing. We were chosen as his adoptive resource, but of course his grandmother was able to appeal again before we could take the next step in the adoption process. Due to the Kansas Supreme Court ruling that families could no longer appeal their removal of rights, and his grandmother's appeal not having any standing on custody, our adoption was able to move forward. In July our son was adopted and the following January he was able to be released from DCF custody due to his grandmother losing her latest appeal and not filing another.

By this time our son was 3 and half years old. He has scars from being in the system too long, biological visits going on for too long and bouncing between foster homes. Once he was adopted we saw his tantrums, his fear and his anger go from very concerning to normal. His preschool teacher, church members, and foster care workers all noticed the positive difference in him once he got stability. What he and others like him need are a system working for children, not for the families and agencies that have failed them.

Thank you for your time and hard work for kids in the state's care.

LeRoy, Kansas