



## MONDAY MORNING MEMO

Monday, November 26, 2007 ☞ Volume 2, Issue 16

### ***Judge Writes about Courage of Birth Families***

*The following essay by Monroe County Family Court Judge Gail Donofrio was published in the Rochester Democrat and Chronicle this month, and is reprinted with permission:*

Much has been written about the joys of adoption and the selfless acts of adoptive parents. Every November, on National Adoption Day, the Saturday before Thanksgiving, the efforts of those involved with locating foster and adoptive homes for children who need them are celebrated, as they should be.

However, acknowledgment should also be directed to biological parents, who make the ultimate sacrifice of surrendering their parental rights. Due to serious problems such as untreated mental health conditions and substance abuse and addiction, some parents have extreme difficulty raising their children. Often, as a result of Family Court proceedings, parents work with the Monroe County Department of Human Services and other agencies to address the issues that cause them to be unable to adequately parent their children. Services available include mental health and substance abuse treatment, transportation and housing assistance, parenting classes and family counseling.

*'We can only imagine how parents are affected by these heartbreaking decisions for the rest of their lives.'*

Unfortunately, in some cases, these efforts fail and parents make the excruciatingly painful decision to give up their parental rights. As a part of a surrender, parents may maintain rights to visit their children or to receive pictures or continue written contact after the adoption is finalized. Sometimes no future contact with their children is contemplated.

During the surrender proceedings, many parents articulate their love for their children. They say they want nothing more than to be able to be good parents; however, they were unable to pull their lives together to safely parent their children.

They sometimes form a bond with the adoptive families and talk about how they are comforted by the knowledge that their children will have a safe, loving home, where they will receive excellent care.

We can only imagine how parents are affected by these heartbreaking decisions for the rest of their lives. Imagine being unable to raise your children as they attend preschool and kindergarten. Imagine not being able to share the joy with a child who is graduating from high school or college or not being there to celebrate your child's wedding day. Imagine not being able to walk into your child's bedroom to kiss her good night or to feel the relief of hearing her voice on the phone when she is late coming home.

Unfortunately, this is the reality for many parents in our community. Every National Adoption Day, we should remember and recognize the courage of these unsung heroes.



## **CASA Success Stories**

### ***CASA Assists Father in Assuming Responsibilities of Parenting***

**CASA of Dutchess County** was assigned in September of 2006 to a Family Court case involving a four-year-old girl whom we'll call Anita. She came into care as a result of injuries to her leg sustained when a television fell on her. Anita's mother was out of the household battling a drug addiction, and her father did not immediately seek medical intervention for his daughter's injuries -- injuries severe enough to require surgery and physical therapy. Both parents were found to have neglected Anita, and she was placed in foster care. Upon assignment to CASA, the case was headed to Termination of Parental Rights.

CASA observed visits between Anita and her father and began to work one-on-one with him to help him to better interact with his daughter, and to assist him in preparing for special education meetings with Anita's school. The visits and the relationship between father and daughter began to improve, but Anita was still having temper tantrums. CASA expressed a concern to the court that Anita had never had psychological counseling to help her overcome the trauma of her injuries. CASA also expressed a concern that family counseling would assist the father and his daughter to work on the problems that faced them both. These concerns were addressed by the court, counseling took place and the temper tantrums abated.

Anita was returned to her father's home at the end of the summer on a trial discharge, entered kindergarten in September and has an Individualized Education Program in place. CASA continues to monitor the case.

## **NYS UCS Court Rules and Contract Primer**

### ***Budgeting Basics for NYS UCS Rules and Contracts***

Under **CASA Court Rules, §117.2** Program Requirements, it states all programs are required to have: "A current program budget containing expenditure and income projections and the sources and amounts of income from each source."

Each program has its own fiscal year, which may or may not correspond with the April 1-March 31 contract year for those receiving NYS UCS funding. National CASA grant budgets tend to run July 1-June 30, and federal grants can follow an Oct 1-Sept. 30 fiscal year. This can make submitting reconciliations on multiple grants a challenge, so maintaining a budget with quarterly breakdowns can ease reporting.

Some common budgeting errors that we see on reconciliations include:

**1) Budgets that don't balance:** Budgets obviously need to be done ahead of time, so you may not have all the cash on hand necessary to meet expenses or even know decisions on grant applications. A budget is a projection: a reasonable estimate of anticipated revenues should be included to balance the expenses expected for the coming fiscal year. The gap between grant funding and the total revenue needed to balance expenses is the funding your board needs to commit to raising from individual donor appeals, special events, product sales, revenue generated from trainings, or new grant opportunities. As you review your budget at



each board meeting, those figures can be adjusted and if necessary, expenses trimmed to maintain the bottom line balance.

We have received budgets that list this target fundraising goal as “to be determined” funding. That is dangerous as it can mean that no clear plan exists on the board level to meet this funding gap. When a budget is presented to the board for approval, there should be discussion and commitment of specific individuals and resources to meeting that budget deficit.

Some boards prefer to pass a deficit budget to keep everyone “on their toes” regarding the need to raise more money, but to many funders that just looks like recklessness, to be consciously incurring expenses without a detailed plan for meeting them. A formal Resource Development Plan with accountability milestones and designated point-people is a better way to make sure the agency stays on track budget-wise throughout the year.

2) Private and public funding listed in the wrong category: Government funding from federal, state, county or city entities is to be listed as “public” funding. Funds from the National CASA Association annual grant process are public funds, as they originate from the federal Office of Juvenile Justice and Delinquency Prevention. Private funding is any revenue generated from a non-governmental source. National CASA “Jeweler’s Fund” grants are private funding, and Interest on Lawyer Account funding passed through the State Association is also private funding.

3) Budget amendments not made: Your UCS reconciliation forms will prompt you when expenses in any one category require an amendment. These should be submitted prior to approval of your reconciliation.

4) Staffing changes not noted: Any programmatic staffing change triggers a budget amendment on your UCS contract.

5) Categories under- or over-spent: A budget is a fluid document, and it is natural that you may over or underestimate particular categories of the budget, particularly in the non-personnel section. Review your budget regularly and submit an amendment if you need to shift category allocations in order to cover some unanticipated expenses.

If you are in the happy position of having more revenue than expenses at the end of the year, this may or may not pose a problem. It’s only an issue if the revenue is, like your UCS grant, restricted and time-limited. If the additional funds are from un-restricted resources such as fundraisers or individual donations, you can roll them over to subsequent year’s budgets, listing them as “agency revenue” or “cash on hand.” If the resources are substantial such as a major bequest or stock donation, you may consider beginning an endowment. Your local Community Foundation may be a good resource if you are undertaking that initiative.

Finally, budgeting is more art than science. While there are generally accepted accounting practices, there is much variation in how agency budgets are structured and implemented. Different funders have different definitions of budget categories and different reporting requirements. The safest and most efficient thing to do regarding your UCS contract is to call us with any questions; we’re here to help you navigate the fiscal side of your programs – which often is not the area that drew the local CASA director to this line of work!



**Resources**

***Legal Center for Foster Care and Education Database***

The American Bar Association’s Center for Children and the Law has an interactive database of resources and documents related to the education needs of children in foster care. You can search the database by state, type of document, or topic. Go to: [www.abanet.org/abanet/child/education/search.cfm](http://www.abanet.org/abanet/child/education/search.cfm)

***Booklet Available on Steps to Adopting a Waiting Child***

The New York State Office of Children and Family Services has a publication that details procedures for potential adoptive parents. To download “How to Adopt a New York Waiting Child,” go to: [www.ocfs.state.ny.us/main/publications/Pub1128.pdf](http://www.ocfs.state.ny.us/main/publications/Pub1128.pdf)

**The A-Train**

***Save the Dates: CASA Directors’ Meeting and Training on Families with Substance Abuse Issues March 31-April 2***

The next meeting of the CASA Program Directors will be held March 31-April 1, 2007 in the Albany area. This meeting will be coordinated by the NYS UCS CASA Assistance Program in collaboration with CASA: Advocates for Children of NYS.

On Wednesday, April 2, 2008, we will be holding a one-day training on issues faced by families dealing with substance abuse. That meeting is open to CASA volunteers, board members, and staff as well as colleagues in the community. Both meetings will be held in Albany. For more information and/or to assist in planning either event, contact Darlene Ward, [daward@courts.state.ny.us](mailto:daward@courts.state.ny.us).

**Quote of the Week**

“Live your beliefs and you can turn the world around.”

*- Henry David Thoreau*

*This is a publication of the*  
**NYS Unified Court System, Office of Court Administration, Division of Court Operations**  
**Court Appointed Special Advocates Assistance Program**  
*For further information, contact:*  
**Darlene Ward, Statewide Program Manager**  
**98 Niver Street, Cohoes, New York 12047**  
**Phone: (518) 238-4360; Fax: (518) 238-2951**  
**Email: [daward@courts.state.ny.us](mailto:daward@courts.state.ny.us) / Website: [www.nycourts.gov/ip/casa/](http://www.nycourts.gov/ip/casa/)**