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How Do Court Continuances Influence the Time Children Spend in Foster Care?

EXECUTIVE SUMMARY

This study examines how court continuances in dependency cases affect the time children spend in state foster care. It also examines the effects of continuances on the length of dependency and termination cases. A *dependency case* is commonly initiated in the courts when a child has been removed from home due to child abuse or neglect and remains open until the child is in a permanent legal setting. A *termination case* may be opened concurrently to resolve the single question of whether to terminate the parent-child relationship.

To examine how continuances (postponements of scheduled hearings and trials) influence time in foster care, statewide court records for children in dependency cases filed and closed between July 1997 and December 2002 were combined with DSHS placement records for the same children. The analyses represent a sample of 1,991 cases where the court case was completed, the docket records had not been archived, and the records were matched with children across the legal and social service databases.

We found that, on average:

Continuances increase the duration of dependency and termination cases.

- Dependency cases are lengthened by 31.8 days per continuance.
- Termination cases are lengthened by 26 days per continuance.

Continuances in dependency cases increase the time children spend in foster care.

- Children receive an additional 11.9 days of foster care per continuance.
- Dependency cases average 2.7 continuances; that translates to an additional 32.1 days in foster care associated with continuances.
- At \$24 per day for foster care, continuances are associated with \$772 in additional foster care costs.

Continuances early in dependency cases account for most of the effects of continuances on foster care. Continuances prior to fact-finding (when the court decides whether to declare the child dependent) add a total of 20.2 days of foster care at a cost of \$486.

Conclusion

To reduce the time children spend in foster care, particular efforts could be made by all parties to reduce the likelihood of continuances prior to the fact-finding hearing.