

Testimony of Richard and Melissa Foran for Parents Rights as Long-Term Foster Parents and Pre-adoptive Parents

North Berwick, Maine

We are Rich and Melissa Foran. We have been foster parents for 5.5 years. We have 2 boys that were adopted after 4 years. After 2 years of going through the adoption process, we still didn't have rights to have them dedicated at church, to travel, to get them therapeutic services. Almost everything we had to have permission to do. Then we had a sibling set that had been with us for 19 months. When they entered our care, G was 14 months old and X was 4.5 years old. After 6 or so months, we started the adoption process. It was evident that the 4.5 year old had dealt with sexual abuse and I kept advocating to the adoption worker for him. He had behavioral issues that were probably trauma and ADHD based. Every month during the visit, I would explain how he behaved. For almost 19 months of us talking to them about him and his needs, the only thing they got him in for was an interview with CAC (Children Advocacy Interview) that was inconclusive. DHHS helped very little with finding services. Spurwink was helpful in finding potential services. Although the boys were in the adoption process, we had to wait for the very slow response of the caseworker to sign papers to look into services. When X was in his CAC interview, the caseworker could watch the video while I sat in the waiting room as if I had no parental rights. They had been with us for over a year..

The adoption worker I know is overworked but since we do not have the rights of parents, we have to get permission from them to do anything and it seems that we really have to put our foot down to get things done. I may have advocated too loudly after over a year of not getting anywhere. The caseworker may have seen me as a threat when all I wanted was to get him help.

In June or July at the post TPR Judicial Review, the Judge read a report from DHHS. He asked if I knew what it said and I told him no. He told them that he thought they were being nit-picky and that by now, they were pretty much our children. He said he didn't feel there was a cause of concern and they needed to speed up the adoption. He told them to share the report with us so I could address their concerns. They did not share that report. They said it was confidential.

In September of 2024, I was at a business conference in Nevada. My husband took several days off to take care of the 4 boys. There was an incident at the school. X coughed, threw up and then started to have an asthma attack. The school called my husband and just told him he coughed and threw up. Rich took an hour to get to the school because he was taking care of the toddler and didn't know about the asthma attack. When he got to the school, the principal had reached out to the adoption worker and had X taken by ambulance to the ER. No one told Rich. They only left a message to come see him. Rich was very frustrated when he left the school. Why? Because no one gave him the proper information but told DHHS.

That night the adoption worker and investigator came to the house to interview the family. They interviewed 2 of the boys and Rich. They did not take into consideration the boys' diagnoses, trauma history and experience with interviews from DHHS. The oldest boy was taught to lie to DHHS by his bioparents. Just by reading his interview, you could see evidence that he was trying to give the answers they wanted to hear but wasn't sure what that was. DHHS took the two preadoptive boys to another home that night and they did not return them.

After 10 days, we had a Family Team Meeting with the adoption worker, the adoption supervisor, the GAL, our adoption attorney and our Spurwink caseworker. DHHS said they wouldn't return the boys based on the children's testimony. One of those children was a teen that previously stayed with us for a short time. She has Reactive Attachment Disorder which is known for lying to cause trouble just to see people's reaction. They know her diagnosis and took her testimony and decided we were guilty.

We were substantiated for medical neglect. We appealed with DHHS and it was overturned due to insufficient evidence.

It can take up to 35 days for an DHHS investigation to conclude their findings. The foster parents can take up to 30 days to appeal. We took all 30 days because DHHS didn't send us the Discovery that our attorney asked for at the beginning. Once appealed, it goes to the Appeal Department and they can take up to 3 months. That is a total of 5 months of broken hearts and feelings of abandonment. It added more trauma to the children who have had so much already.

Let's not forget that DHHS doesn't like to move children except when they remove children without a full investigation of foster parents. This is happening at alarming rates in every district in Maine. It seems to have a common theme. The foster parents advocate for a child. They aren't getting anywhere and after several months, the caseworker can see their frustration. The caseworker sees them as a threat. Then allegations start, the kids are removed. Often the things are found unsubstantiated but the children are not returned. Some are substantiated but get overturned. The children aren't returned. Each time, the children suffer trauma.

With the first boys' biomom, DHHS gave her over 2 years to find a place to live and show that she could give the boys a safe home. With the second 2 kids, their biomom was given 2.5 years to get off and stay off of drugs. When it came to us, taking care and loving the boys for 19 months, the boys were removed after the first allegation in less than 12 hours. We spent 19 months helping them heal, loving them, helping them believe that they were part of our family and that we would not ever send them away. Then we were told after 10 days that there were no plans to return the boys before the investigation was up. They also said they had previous concerns. None of those concerns they shared with me except the one that I kept asking for help with. Which happens to have been a peed on carpet that I asked for help with for almost a year. Neither of the caseworkers tried advocated for help but when the licensing worker came to recertification our home, she asked for help for us. This was thrown against us as a reason not to return the children. If you ask them, they say they had concerns. All of which, if we had parents rights, would just be considered as normal parents taking care of kids with trauma,

If we would have had parent's rights. DHHS would have had to have sufficient evidence to move the children to begin with. They would have given us an opportunity to revise the issues. We did not get anything of that sort although the boys know us as mom and dad. They know our children as their brothers. The whole family suffered trauma, loss and abandonment. All the boys including ourselves have more trauma that will be with us forever.

If we were basically their parents as the Judge stated a couple of months prior to the incident, the children would still be in our care. If this bill was already in effect, we would still be a family. DHHS could have checked in on us more and had the children interviewed with professionals like Sweetser. I know they would not have taken them from our care if this was a law. They would investigate only to find that they were in a loving home that is just a bit of a circus sometimes.

Since then, they boys went to several homes their first few months. And now are in a pre-adoptive home. We still believe they are better off with us as we were their mom, dad and brothers for 19 months while they have been at their new home for only 4 months.

We ask that there be a bill for foster parents that have been with the children for over a year or any resource home that is filing to adopt the child(children) in their home to have the same rights as bioparents. They should be able to sign as their guardian on documents, have 100 percent rights as parents at schools, therapeutic services, and have the same rights as parents if there is an accusation. If pre-adoptive or long term foster parents had these rights, we would not be waiting for overworked caseworkers to sign a paper that may take them 3 months to do. We would not have to continue to push the caseworker to get things done so they can receive services and foster parents would not feel the need to speak louder and cause the overworked caseworker to take it personally and start an investigation. Investigations need to be done like parents, leaving the children in the home until there is proper evidence that a child is being abused or neglected. If DHHS has been wrong about the investigation and did take the children out, the children should be returned to that home. The children have built a long time bond and see them as their parents. Currently, DHHS tries to pretend that the children will just forget about their bonds but in fact, studies show there are long term mental and emotional health effects. They have a much higher rate of depression, anxiety and risky behavior. They also have trouble creating bonds.