

# ARIZONA CAPITOL TIMES

Bill will 'rocket' foster children toward family life

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## OPINION

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Mary was born in the bathroom of the Greyhound station on East Buckeye Road. She tested positive for meth, heroin and alcohol.

Dedicated nurses worked tirelessly to keep her alive for 14 days as she screamed, suffered seizures and struggled to feed. Despite heroic efforts, Mary was failing to thrive. She was declining on the charts and losing her will to live.

When the withdrawal symptoms finally lessened, the Arizona Department of Child Safety moved Mary to a foster family. Held constantly and nursed every two hours, Mary started gaining by day the amount of weight that healthy infants gain in a week.

Mary was fighting back. In time, Mary grew into an energetic little girl and was adopted into her foster family.



Darcy Olsen

I know Mary's story intimately – because I am her mother.

Seven years ago, I became a foster parent. If Mary had been my only experience fostering, I wouldn't be writing.

I've seen fairytale endings like Mary's, but I've also seen nightmares.

**“John” entered foster care in diapers. He was never returned home, and he was never adopted. DCS moved him 47 times. Today, John is preparing to graduate from state custody.**

**“I didn’t want a toy for Christmas,” John told me once, “I wanted a family.”**

**It is the plea of every child in care.**

**And then there was Emma, a newborn we cared for until she was 3 months old. I’ll never forget buckling her into the government van that would transport her to the next placement with tears streaming down my face.**

**By that time, I knew Emma’s odds.**

**For five years, she was moved repeatedly. Without the security of a mother or father, she developed multiple emotional and behavioral disorders. Today at age 6, she’s described as “feral” and remains a ward of the state.**

**Emma’s statistical chance of being adopted now is zero. Every year spent in state care reduces a child’s chances of adoption 25 percent.**

**Every 19 minutes, another Emma is born. With parents unwilling or unable to get clean, 50,000 newborns will be consigned to state foster care this year. Infants come into care in disproportionate numbers and are destined to stay for longer periods than older children.**

**Some of the most basic constitutional protections that we take for granted as Americans are not available to child victims. Their futures depend on the luck of the draw, such as: Which hospital were they born into? Who is the case manager? Who is the judge? – rather than the rule of law.**

**The criminally accused have a constitutional right to a speedy and public disposition of their cases; these infants do not. Consequently, some spend their entire lives in limbo. They have no enforceable legal right to be returned home safely or to be adopted.**

**The criminally accused have a First Amendment right to tell their story – these youngsters don’t. Even John at age 16 cannot speak publicly without permission from the court. These gag rules protect perpetrators, and make it difficult to get a child’s view of the people and agencies entrusted with their lives.**

**Perpetrators of abuse have the right to a court-appointed attorney – these infants do not. Some never even appear before the court.**

**Possessing heroin is a crime; although using heroin during pregnancy can disable a baby, cause permanent brain damage, and create lifelong physical disabilities and intellectual impairments, it’s not considered child abuse.**

**Arizona Senate Bill 1452, the Rocket Docket, brings these fragile infants to the forefront of attention by the court. A Rocket Docket is a streamlined process for resolving parental rights issues to safely and swiftly reunite infants with their families or, when that’s not possible, to free them for adoption.**

**At this time, infants who suffer extreme abuse typically linger in foster care for four years. This bill would reduce the average time in state custody from four years to one.**

**Rocket Dockets are not a new idea. All criminal courts are rocket dockets, essentially, because fundamental liberty interests are at stake. Criminal cases are routinely resolved in 180 days. Here, too, the fundamental liberty interests of parents and infants are at stake**

**This reform should not be partisan. Harvard University law professor and author of *Nobody’s Children*, Elizabeth Bartholet, has written in support of this legislation. So, too, has the Brookings Institution’s Dr. Ron Haskins. Locally, The Center for Arizona Policy’s Cathi Herrod is supporting this because it firmly protects parental rights and infants alike.**

**SB1452 serves the demands of justice because timeliness is everything. Just ask John who has been waiting 17 years for a family.**

***Darcy Olsen is the founder of Gen Justice, [www.GenJustice.org](http://www.GenJustice.org). Identifying characteristics have been changed to protect identities of the children.***