

JCICS Board Meeting
August 9, 2006
Conference Call

Attendees: M. Hendy, R. Gibson, D. Murphy-Scheumann, J. Sciortino, R. Pearlman, S. Pitkowsky, H. Stultz, L. Vollman, L. Wetterberg, J. Peterson, J. Rolsky, T. DiFilipo, J. Ruben

Absent: J. Sciortino (e), K. Wallace (e)

Arrived Late: S. Wu

Call to Order & Agenda: R. Gibson at 3:05 PM EST

Executive Director's Report: M. Hendy

Introduction

Meghan introduced Joelle Ruben, the new Administration Manager. Joelle has been with JCICS for nine days and has been busy learning the financials, listservs, and so forth.

2007 Keynote Speaker

Staff are reaching out to Toby Dawson, the US Olympic skier adopted from Korea. Discussion was held about Dr. Brian Post, Steven Curtis Chapman and Ruth McCroy.

Written ED Report Emailed to the Board:

Board Rooming List

Please email rooming preferences to Meghan for the September board meeting by this Friday, August 11.

Cost of PR Person & Conference Person

Costs have been researched and a preliminary estimate can be found below.

PR

Many PR firms will do freelance or adhoc projects, but they would need to more fully understand the scope of the work or project before committing to a price estimate. Staff spoke to one firm today who does have international experience and they could be hired for strategy and execution or both. They can work on a retainer, hourly rate (middle range is \$250 an hour) or on a project basis where JCICS would give them its budget and see what they can do in within that amount. If JCICS wants to investigate further, Meghan recommends contacting the pro-bono PR firm that JCICS is currently using and obtain a proposal from them as well.

Next steps – the Board would need to identify the scope of activities or projects that JCICS is interested in so staff can receive more accurate proposals from PR firms.

Conference

Estimates of services both the onsite hours and any management/logistics pre meeting are billed at \$35.00/hour. Onsite travel would also be reimbursed and hotel expenses. (Note: Staff will be meeting with the conference planner with Helms Briscoe next week to go over the 2009 conference options to get a better estimate at that time. Meghan is unsure if on-site time includes 24 hours a day or just working time, so this estimate may be on the higher side.)

January - March, 10 hours a week

\$3,850.00

During the Conference - 5 days (5 x 24 = 120 hours)

\$4,200.00services

\$500.00travel

\$1,000.00hotel

\$5,700.00

Succession Plan

The updated succession plan will be sent to the Board this week so please be on the lookout for it. Please let Meghan know if you have any comment or revisions by September 1st. The Board will vote on the plan during the September in person meeting.

Secretary’s Report: H. Stultz

MOTION: To approve the minutes from July 18, 2006 including suggested changes to action items.

L. Wetterberg MOVED/ J. Rolsky SECONDED PASSED Unanimously

Financial Report: L. Vollman

The current profit & loss sheet shows that JCICS has a profit to date. Based on the budget to actuals as of June \$376, 925 was budgeted for income, while actual income as of June is \$395,623. Net gain budgeted for was \$90,565, while the actual is \$112,192.

Guatemala: T. DiFilipo, S. Pitkowsky, L. Wetterberg

Background

As part of the larger JCICS International Relations Initiative, the BOD authorized a Guatemala Task Force. This task force was charged with developing both a strategic and tactical response to the pending closure of Guatemalan adoptions and to advance the cause of ethical conduct and high standards of practice.

The task force initially responded with the Smith/Orr Proposal. This proposal suggested numerous significant changes to the current adoption process in Guatemala and sought to create systems and entities which would bring Guatemalan practices into compliance with The Hague convention. Smith/Orr was reviewed by the JCICS Guatemala Caucus, JCICS and DOS and has been revised to reflect the commentary of the adoption community.

The task force subsequently developed a strategic proposal and solicited the Guatemala Caucus for financial support of this Guatemala Initiative.

Guatemala Initiative

The task force now recommends to the board of directors the following proposal.

Scope

The initiative addresses the pending closure of Guatemalan adoptions with the U.S., standards of practice within the Guatemalan adoption community and compliance with Hague standards. Specific legislation is considered outside of the scope of this initiative.

Strategy

Engage the key players in the Guatemalan adoption community (DOS, attorneys, Hogars, PGN, UNICEF, HLS, Berger et al)

Present to the Guatemalan adoption community, the revised Smith/Orr Proposal as a template for the changes needed re Hague compliance and standards of practice

Facilitate consensus building

Gain support of DOS and leverage such support in consensus building

Support final efforts to implement the required changes

Tactics

Three (more if necessary) trips to Guatemala

Trip 1 – End of August 2006

T. DiFilipo, H. Wallace, C. Huber and R. Rivera will represent JCICS during meetings with key attorneys, legislators and U.S. officials. The broad goals of the meetings are;

1. To present the consequences of current Guatemalan adoption practices and U.S. Hague ratification. In short, change or end.
2. Position JCICS as a positive agent of change

3. Initiate dialogue and consensus building via the Smith/Orr Proposal
4. Present the position of JCICS on current and future practices while demonstrating support for the children of Guatemala
5. Strengthen JCICS's relationship with key U.S. officials

Additional information from Hannah:

Meetings will be set up with the Association in Defense of Adoption leaders, as well as the Instituto (on the rights of children and families) leaders, together and separately. A meeting may be desirable to introduce and explain the issues and necessities to as many of the general population of adoption attorneys as possible, which will be arranged by the ADA. *Costs for room rental should be assumed by JCICS. (The attorney leaders include: Enrique Urizar Maldonado, Susana Luarca, (President and Vice President of the ADA) Roberto Echevarria, Dina Castro, Jorge Carillo (past presidents of the Instituto), Olga Pons (current president of the Instituto), Jose Luis Dubon, Julio Batres (Constitutional lawyer)

We are also trying to arrange a "stakeholders meeting" at the U.S. Embassy, to deal with practical concerns of members. The first meeting was in April 2006, at which time Chris Huber represented JCICS. Tom Di Filippo would represent JCICS at this meeting. This meeting could be expanded to include Consular officers in order to discuss the over-reaching issues of Hague compliance.

Trip 2

T. DiFilipo, C. Huber, R. Rivera and C. Orr will represent JCICS during a JCICS sponsored stakeholders meeting to include representatives of DOS, HLS, Hogars, UNICEF, the Guatemalan government, legislators and attorneys. The goals of this meeting are;

Develop consensus on possible legislation

Trip 3

Undetermined at this time. Representatives and goals are dependent on the outcome of 1 & 2

Funding

The Guatemala Initiative will be funded primarily through member contributions. To date, the Guatemala Caucus Co-chairs have appealed to caucus members for contributions however specific pledges/donations have not been received. Following is the budget for the two trips.

Trip 1

\$5,300 to cover the expenses of T. DiFilipo and JCICS related expenses.

Large room rental at hotel for large meeting of attorneys - \$150

Reimbursement of \$750 per person (for hotel and meals) for Rodolfo Rivera, Hannah Wallace, Chris Huber towards trip expenses.

Trip 2

\$10,000 to cover the expenses of T DiFilipo and a two-day JCICS stakeholders meeting in Guatemala. All other representatives are self-pay.

Trip 3

\$5,000 to cover the expenses of T DiFilipo. All other representatives are self-pay

MOTION: To approve the intent of the proposal.

Whereas Guatemalan adoptions are in danger, and;

Whereas there is an opportunity for leadership;

Be it therefore resolved that JCICS approves this adoption initiative in Guatemala to investigate the possibilities of improving standards of practice, contingent upon adequate financial support, opportunity for forward motion and review of goals accomplished after each trip.

S. Pitkowsky MOVED/ D. Murphy-Scheumann SECONDED PASSED Unanimously

Additional Caucus Suggestions

The Guatemala Caucus has three additional suggestions for assistance.

- 1) Many agencies are having problems with previos given by the PGN for minimal errors. Often times it appears that the previos are issued for cases involving single adoptive mothers or other specific issues. The caucus suggested that JCICS have a database that agencies can log the number of previos issued, what they were for and what types of cases they affected. Once the information was collected it could then be presented during an upcoming trip to Guatemala to be addressed by officials there. Lynn has already expressed that due to limited JCICS staff time and financial constraints this would be difficult for JCICS to do. It was further suggested that if JCICS could set up the database on the members only section of the website, perhaps someone from the caucus could be responsible to manage it.
- 2) The second suggestion was for JCICS to create a similar database, this time containing a list of Guatemalan attorneys with whom they are no longer working with.
- 3) The third suggestion was for JCICS to create another database with a list of names of families who have had their home study denied by other JCICS members.

Discussion was held that the first suggestion could be informally implemented by the caucus, but that JCICS cannot formally take it on at this time. Further discussion was held on the second suggestion about how to feasibly do this and whether or not it should also be informally created by the caucus for now. Discussion on the third was that this could begin January 1, and agencies

wishing to participate could include language in their client contracts that clients waive confidentiality on this issue to avoid lawsuits. Rick & Lynn will further discuss a proposal and email it to the board before responding to the caucus.

International Relations Initiative: T. DiFilipo & M. Hendy

Guatemala Trip

**MOTION: To approve a budget of \$7,000 for the first trip to Guatemala.
L. Vollman MOVED/ J. Rolsky SECONDED PASSED Unanimously**

Ask Letter

Meghan will be sending a letter out next week to members requesting contributions towards the international relations initiative. Staff will follow-up with targeted phone calls and emails. They will look to collect funds for 2006 and pledges for 2007.

The member survey will go out separately since it goes along with the broader fundraising initiative. It will aim to gather more concrete information on members and the scope of their work. It will be available online through Survey Monkey.

Tom would like suggestions of individuals/groups within the industry to positively present what JCICS is doing. In addition it would help him to raise funds if he is able to say that there is 100% board giving and that X amount has been given by the board already.

Membership Structure Proposal: R. Pearlman, S. Pitkowsky, H. Stultz, L. Wetterberg

Nothing further has been done as no additional feedback was provided by the board as requested at the last board call. Meghan offered responses to proposed benefit chart. It is requested that the board review this and respond by Wednesday, August 16.

Membership – Agencies in Question: M. Hendy & J. Peterson

Adoption Placement, Inc. – Removal from JCICS

A letter is being drafted to send to Adoption Placement, Inc., indicating that their membership and all associated benefits have been terminated. Their license was revoked in February by the state of Florida. They did not inform JCICS within the 10 days provided for in the policy. Their appeal hearing will be held later this month. This will all be made public. Once the letter is finished it will first be sent to the JCICS attorney along with a copy of the current membership policy for legal review.

Vietnam Situation

Meghan emailed the Vietnam caucus a few weeks ago in regards to concerns around two facilitators working there, My Linh Soland and Mai Ly LaTrace. Meghan also spoke with DOS

who had shared concerns. One JCICS member contacted Meghan and shared that they are working with My Linh Soland and they intend to continue. She was convicted twelve years ago of manipulating student visas by falsifying marriages so students could remain in US. She was also recently hired by Irish to be sole contact for Vietnamese adoptions until they were made aware of her criminal past. She may now be under investigation by the Irish FBI equivalent. Richard will work with Meghan to draft a letter and post to board for review. The letter will be from the board to the agency asking them to reconsider given the potential ramifications for future adoptions between the US and Vietnam.

Hague Update: M. Hendy

Since the Hague/COA update was given to members, many have been asking questions and reacting to potentially high accreditation fees. Meghan will forward questions to DOS & COA to answer. JCICS is disappointed with both agencies regarding their lack of outreach, explanation and training for agencies right now. Meghan will draft letter to DOS & COA addressing high fees.

NACAC Report: R. Gibson, S. Pitkowsky, L. Wetterberg

In the interest of time this report will be emailed to the board.

COA Report: S. Pitkowsky

Sam expressed that there is currently a great deal of misinformation on the listserv. A few points covered at the COA meeting in New York on Monday:

- 1) The \$8,000 fee that was mentioned was NOT the lowest fee that will be charged. There will be a sliding scale. It is unclear what the minimum and maximum amounts will be on that scale. The \$8,000 was given as an example of an agency with a \$400,000 operating budget.
- 2) The fee schedule has not yet been approved by DOS and is NOT set in stone.
- 3) Placement agencies will always be the primary agency. Placement agencies will need to decide, relatively quickly, what agencies they will work with for the provision of home study, training and post-adoption services. These agencies **will be supervised** by the placement agency. Agencies must ask if they want to limit the number of supervised agencies they will work with and they must ask if they want these home study agencies to be accredited or will the placement agency accept the greater liability and supervisory roll needed. If they are not accredited, are they a supervised provider or are they an exempt provider? How will agencies deal with families that come to them from 50 different states? Will agencies have a supervised provider in each state?
- 4) The number of supervised providers that an agency has will have a direct impact on the cost and depth of their accreditation. The more supervised providers an agency has, the more time intensive the review will be.

- 5) The sliding scale will not only take into account an agency's operating expenses but will also take into account the number of supervised providers they intend to have.
- 6) COA is open to receiving questions and comments so that they will be ready for the answers when the application period begins.
- 7) Everyone who applies in the first round must be completed before COA will begin to accept applications for the second round.
- 8) The COA board voted unanimously on Saturday to accepting JCICS as a sponsor.

Future Board Meetings:

There will not be a board call in September.

The in-person board meeting will be September 19 & 20, with government meetings held with DOS & CIS on the 18th.

MOTION: To adjourn the meeting at 5:12 PM EST.

S. Pitkowsky MOVED/ L. Wetterberg SECONDED PASSED Unanimously

Respectfully Submitted,

Heather Stultz, Secy

Action Items:

1. R. Pearlman – email Ruth McCoy's contact information to the main office.
2. BOD – email September BOD meeting rooming preferences to Meghan by Friday, August 11.
3. BOD – identify scope of work for PR firm so staff can obtain more accurate proposals.
4. M. Hendy – email succession plan to the board.
5. BOD – send any comments on the proposed succession plan to Meghan by September 1.
6. R. Gibson & L. Wetterberg – draft proposal regarding the suggestions of the Guatemala caucus and email to the board.
7. M. Hendy – send to membership and board letter requesting contributions for general international relations initiative effort.
8. BOD – please review the proposed membership benefit chart with comments by Meghan and respond to the board list by Wednesday, August 16.
9. Staff – draft letter to Adoption Placements, Inc. and submit for legal review along with the membership policy.
10. R. Pearlman & M. Hendy – draft letter to agency working with My Linh Soland and post to the board for review.
11. M. Hendy – send list of member questions to DOS & COA – draft letter to both addressing excessive accreditation fees currently being proposed.

Open Action Items from July 18, 2006:

1. Staff – submit Children’s Charities application in early August.
2. BOD – consider ways to contribute resources to JCICS for the International Relations Initiative.
3. Staff & T. DiFilipo – send appeal to membership to raise funds/frequent flyer miles for future International Relations trips.
4. Staff & T. DiFilipo – finalize membership survey and distribute.
5. BOD – book flights for September 18-20 in-person board meeting.

Open Action Items from June 28, 2006:

1. R. Pearlman, S. Pitkowsky, H. Stultz & L. Wetterberg – draft affiliate benefits and fee structure for board to vote on August 15, 2006.
2. Staff, R. Gibson & R. Pearlman – do brief review of website and membership materials in anticipation of membership bylaw change.
3. Staff – add to July BOD meeting agenda further discussion regarding who JCICS should reach out to in anticipation of the membership bylaw change, how JCICS can better collaborate and with whom, as well as a policy for how the BOD can reject membership applications.
4. R. Pearlman – draft bullet points for regional training proposal for USCIS.
5. M. Hendy & R. Gibson – will fill out draft Emergency Succession Plan for future board review.
6. R. Pearlman – will send L. Vollman suggested opportunities of other insured accounts that JCICS may want to look into.
7. BOD – brainstorm suggested Keynote Speakers for the 2007 Conference and submit names to Meghan.