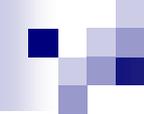


# ***Understanding DHS Policies/Programs: The Adoption Process***

***Oregon Judicial Department  
Citizen Review Board  
2012 Annual Training Conference  
May 4-5, 2012***



# Recent Rule Revisions Relevant to the Adoption Process

- I-E.1.1 Search for and Engagement of Relatives
- I-E.3.1 Placement Matching
- I-E.3.6 Legal Permanency, Concurrent Planning, and Use of Permanency Committee
- I-F.6 Sibling Adoption Placement Planning
- I-G.1.1 Foster Parent Request for Consideration as a Current Caretaker
- I-G.1.2 Identification and Consideration of Potential Adoptive Resources
- I-G.1.3 Adoption Applications, Adoption Home Studies, and Standards for Adoption
- I-G.1.5 Adoption Placement Selection
- I-G.1.10 Supervision and Support of an Adoptive Placement
- I-G.3.1 Adoption Assistance

# The Adoption Process

- I-G.1.2 Identification and Consideration of Potential Adoptive Resources
- I-G.1.5 Adoption Placement Selection

*Introduced 7/1/10 ' ' '*

*Revisions ' ' '*

*Updated 9/19/2011*



# Themes in Adoption Planning

- Consideration of Children's Current & Lifelong Needs
- Prioritization of Relatives & Placement with Siblings
- Early, Inclusive, and Ongoing planning
- Decision Making for Permanency & Adoption Planning Retained by the Department

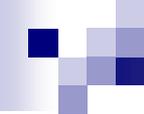
# Expanded Relative Definition

## *(a) through (c) of definition includes:*

- Blood or legal relationship
- Relative on the basis of laws or customs of tribe
- Relative as defined by refugee policy
- Step parent, step sibling, or registered domestic partner of parent or former step parent/registered domestic partner when there was a relationship prior to entering care
- Adoptive parent of sibling
- Unrelated legal or biological father or mother of a half-sibling of the child when the half-sibling is living with the unrelated legal or biological mother or father.

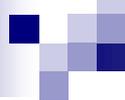
## *(d) relatives:*

- Individual who the **family or child identifies** as a relative when the individual had an emotionally significant relationship with the child, young adult, or family **prior** to the placement in substitute care



# Order of Preference

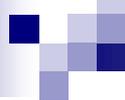
1. Relatives (a) through (c).
2. Relatives (d) and a current caretaker when DHS approves the current caretaker to be studied without recruitment for general applicants (equal preference).
3. A current caretaker who DHS has decided shall be considered with other general applicants (equal preference).
4. General applicants.



# Current Caretaker

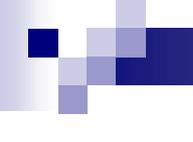
**A foster parent's request for consideration as a current caretaker may be considered by the Department when:**

- The child's permanent or concurrent plan is adoption and Department determined in best interest to begin identifying adoptive resources.
- The foster parent has the child in their home (or at least one child in a sibling group being placed together) for 12 consecutive months.
- The caseworker and supervisor have conducted a thorough relative search in accordance with the relative search rule requirements.
- There are no current actions to identify or assess a category (a) through (c) relative.
- The foster parent is willing to be considered as the adoptive resource for the child's siblings when the plan is to place the sibling together in the same home.



# Current Caretaker Process

- Upon an approved request DHS schedules a Permanency Committee.
- Permanency Committee makes a recommendation to the Child Welfare Program Manager/designee.
- Decides whether to consider (i.e. proceed to selection) and if considering – whether they will be considered alone/with relative d or with other general applicants.



# Permanency Committee

**Two individuals who have no current personal or professional relationship to the child/resource being considered:**

- Includes a facilitator (DHS staff member)
- Another individual (community partner or DHS member)

**Members of the child's team:**

- Caseworker, child's attorney, CASA
- tribal representative, refugee committee representative

**Committee provides written recommendation(s) to the Child Welfare Program Manager/ designee within 3 business days. This person makes the final decision within 1 business day of receipt of recommendation(s).**

**\*CWPM cannot delegate APPLA decisions.**

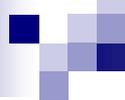
# Exception to the Order of Preference

- **VERY RARE.**
- Request comes from local office upon local office determination that it is in the child's best interest.
- Request goes from the Child Welfare Program Manager to the Adoption Program Manager.
- Not just based on time in the home – extraordinary need for preference to be reconsidered.

# Consideration of Multiple Relatives

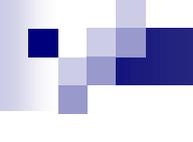
## When multiple relatives request consideration for adoption:

- DHS seeks input and engages relatives to help facilitate agreement on the potential resource to be considered.
- When agreement cannot be reached, DHS selects up to 3 families total in accordance with order of preference requirements.
- When a resource is not approved or withdraws, the Child Welfare Program Manager decides whether DHS will initiate additional studies, considering the best interest of the child and impact on achieving permanency .



# General Applicant Recruitment

- Needs to be timely.
- No relatives needing/being considered.
- Must conduct recruitment activities, including at a minimum, a posting of a Waiting Child Bulletin **for 30 days** unless an exception is granted.



# Exceptions: General Recruitment

- Central Office approves an exception to the 30 day timeline regarding recruitment/the bulletin posting.
- OR
- A Permanency Committee is held and the Child Welfare Program Manager determines there is an individual known to the child/sibling group that should be considered alone as the potential adoptive resource.
    - This person is a general applicant.
    - Could only be considered after other priority people.
    - Decision is based on the relationship, child needs, and matching considerations.

# DHS Requirements

The caseworker must:

- **Make reasonable efforts to identify and place the child with an adoptive resource in a timely manner.**
- **Request input about what skills/characteristics/abilities a potential resource needs in order that would best meet child's needs from professionals who have worked with child and other members of child team (i.e. CASA, providers, attorneys, tribe, etc.)**
- **Receive and review adoption home studies in a timely manner.**
- **Following consultation with the supervisor, identify up to three (per order of preference) adoptive resources to be considered based on policy guidelines (i.e. needs, of child, skills of family etc).**



# CRB Considerations: Relatives

- Efforts made to identify, contact, and assess relatives.
- Efforts made to assist the family to reach agreement on the potential adoptive resource.
- Requests made for adoption home studies of interested relatives who will be considered.

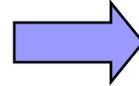


# Additional CRB Considerations:

- If no relatives (a)-(c) have efforts been made to schedule the Permanency Committee for an eligible foster parent requesting consideration as a current caretaker?
- If no relatives or a current caretaker (alone) the efforts made to begin general recruitment.
- Whether out of state/expanded recruitment has started for a high special needs child.
- The number of home studies received and interested families contacted.

# The Adoption Selection Process

Input requested from child's team and supervisor consultation occurs



Caseworker Selection

Local Adoption Committee or Central Office Adoption Committee Recommendation



ADS Selection



# Central Office Adoption Committee ADS Selection

## Required when:

- More than one relative
- Current caretaker along with others
- DHS employee and conflict of interest applies
- Non-DHS staff and potential conflict of interest
- Resource lives outside of USA or Intercountry Adoption Act Applies
- Use of CO Committee approved by CO Adoption Program based on complexities or dynamics of a case

# Local Office Adoption Committee ADS Selection

When Central Office committee not required and the following:

- One child with extraordinary needs
- One child age 6 or over
- Siblings when resource is not a current caretaker or relative
- When general applicant being considered is the foster parent (but not a current caretaker) being considered with other general applicants
- Use of Local Committee is approved by CWPM based on complexities or dynamics of a case

# Caseworker Selection

Provided potential resource is not a DHS staff member and conflict of interest policy applies, other person with potential conflict of interest, or residing outside of the USA, Intercountry Act applies:

- **Relative alone – any age, one child or sibling group**
- **Current caretaker alone for one child or sibling group**
- **General applicants for a child under 6 with no extraordinary needs (unless one of the general applicants is a current foster parent for the child)**

In accordance with ICWA or refugee policy child is an:

- **Indian child (ICWA)**
- **Refugee child**

# Timeline for ADS Selection

Following consideration of input, consultation with the supervisor, and identification of the 1 to 3 families a Local or Central Office Adoption Committee is scheduled.



At least 10 business days prior to committee date notice of the committee and committee materials sent to the ADS, committee members, and those eligible to be committee members.



Committees include a facilitator (always a DHS staff member), the caseworker, and 2 other individuals not involved in the case (DHS or community partners). The ADS is not a committee member.



Committees may include CASA, child's attorney, tribal and RCWAC representatives when they notify the facilitator of their intent to serve as members at the beginning of the committee.



Committee occurs. Child and family presentations occur. Each committee members makes their recommendation known.

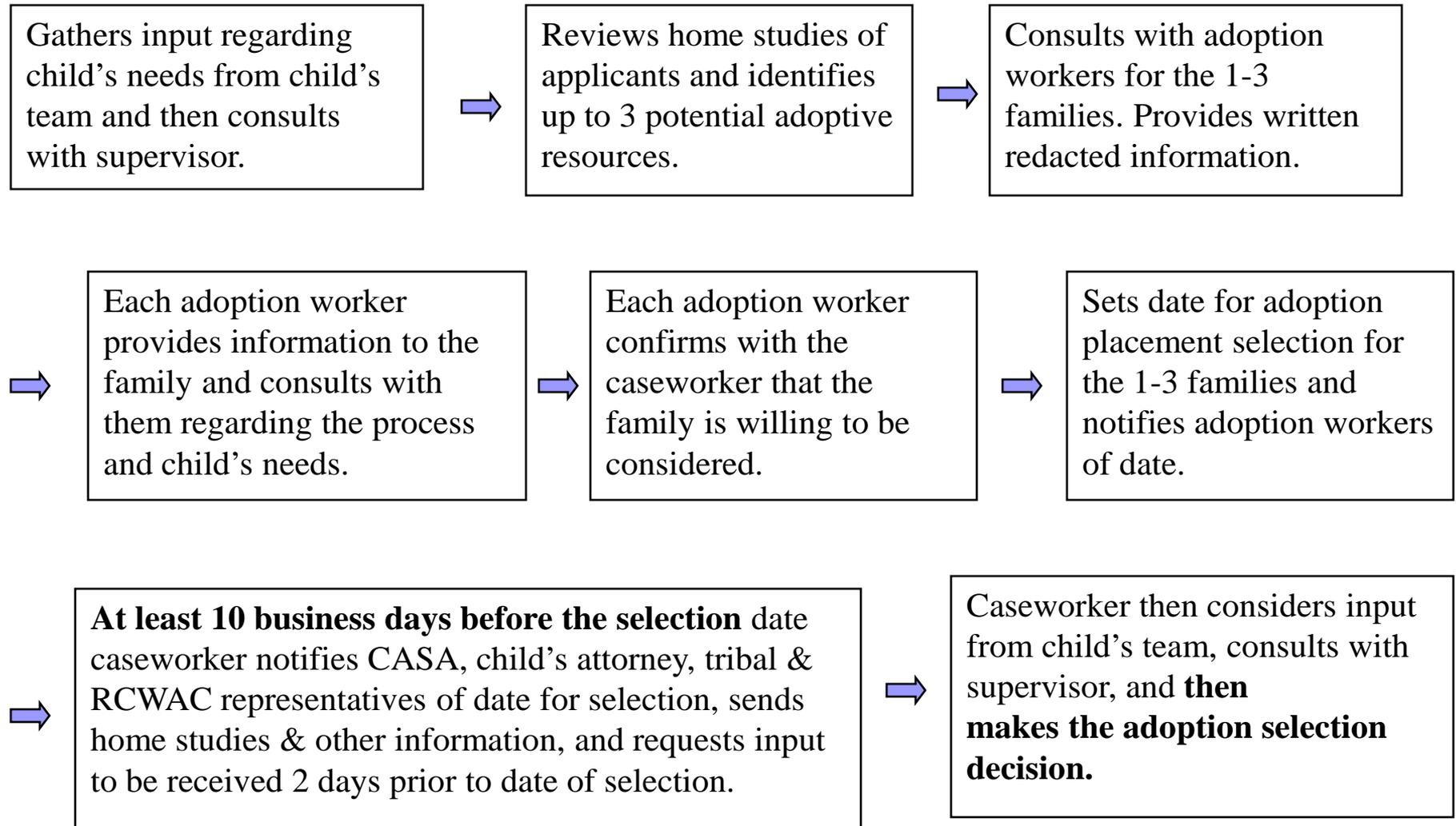


At the end of the conclusion of the committee, following the presentations and deliberations, the facilitator makes the recommendation(s) to the ADS.



By the end of the next business day following committee the ADS makes the adoption selection decision.

# Timeline for Caseworker Selection



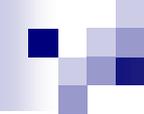


# CRB Considerations

- The inclusive process facilitates a decision resulting from input from resources that know the child.
- DHS has responsibility for the final decision.
- Not following the process can result in a review of the selection decision which can delay permanency for a child.

# Adoption Assistance

- The Adoption Assistance is not negotiated until a child is legally free, in a designated adoptive placement, and all the field work is complete (Title IV-E for AA, applications).
- Adoption Assistance must be negotiated with the family and is different from foster care. It is meant to assist by combining with the family's resources to meet the child's needs.
- Adoption Assistance is negotiated based on the out of pocket family expenses to meet the basic needs of the child (i.e. food, clothing).



# Finalizing the Plan

Following:

- ✓ A child being declared legally free
- ✓ Placed in a designated adoptive home
- ✓ The adoption assistance being opened
- ✓ A final recommendation by the supervising worker to proceed to finalization

The Department signs the consent to the adoption and coordinates with the attorney for the family to obtain the final adoption decree from the court.



# **Relevance for CRB Findings?**

**Questions & Discussion**