

## PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to amend the following Department rule:

### Adoption

This rule is amended to reflect actual Department practice, changes in terminology used as well as to incorporate national adoption best practices. Following is a concise explanatory statement of the proposed changes to this rule, as required by RIGL 42-35-2.3.

- Rhode Island General Law's references consolidated.
- Detailed descriptions regarding the relevant enacting federal laws removed.
- Language strengthened around the placement of siblings together.
- Language regarding the child's medical records (copies, confidentiality) added.
- Criminal records checks, clearance of agency activity and Adam Walsh clearance requirements clarified with references to relevant policy added.
- Clarification as to responsibility regarding the filing of the Termination of Parental Rights in Family Court, identifying the permanent family and registering the child with the Permanency Services Unit.
- Clarification of the term "Adoption Disruption".
- Language regarding the pre-adoptive parent filing an adoption petition in Family Court clarified.
- Entire section "Guidelines for Adoption by Foster or Kinship Care Provider" deleted.

In the amendment of this rule, consideration was given to: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This amended rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) or the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>). Interested persons may submit written comments by September 19, 2014 to Sarah St. Jacques, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 ([sarah.stjacques@dcyf.ri.gov](mailto:sarah.stjacques@dcyf.ri.gov)).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, or by an agency or an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

**Posted on: August 14, 2014**

# Adoption

Rhode Island Department of Children, Youth and Families  
Policy: 700.0085

**Effective Date:** June 9, 1986 **Revised Date:** ~~November 16, 2009~~ 2014 **Version:** 34

Adoption is the preferred permanency option when it is not possible for a child to return to his or her family. The adoptive ~~family~~ parent provides the child with the same legal rights and protection as a birth ~~parent~~ family. The adoptive parent permanently assumes all parental rights and responsibilities regarding the child. For the purpose of this policy, "adoptive parent" may include one or two adoptive parents.

~~Significant federal laws have been enacted to guide our practice in the area of adoption.~~

~~The following federal and state laws govern the Department of Children, Youth and Families (Department) our practice in the area of adoption apply:~~

- ~~The Adoption Assistance and Child Welfare Act of 1980 (PL 96-272) mandated state child welfare systems to implement permanency planning for children and youth in state care by preventing unnecessary placements, achieving reunification with birth families or seeking alternative permanent placements, such as adoption, within a reasonable time frame. This law required service plan and periodic court reviews to monitor progress towards permanency.~~
- ~~The Adoption and Safe Families Act (ASFA) (PL 105-89) of 1997 was enacted to balance the need to make reasonable efforts towards reunification for the child in foster care with the child's need for safety, permanency and well being. ASFA shortens the time frames for making permanent placements, defines situations when reunification efforts may not be required and provides financial incentives to states to increase the number of adoptions. In addition, ASFA creates a preference for placement of a child with a fit and willing relative and allows states to practice concurrent planning through the identification of a permanent placement option for the child if reunification efforts are not successful.~~
- ~~The Multiethnic Placement Act of 1994 (PL 103-382) and the Interethnic Placement Provisions of 1996 (PL 104-188) were designed to remove barriers to permanency for children in the child welfare system and to ensure that adoption and foster care placements are not delayed or denied based on race, color or national origin. These acts require states to recruit foster and adoptive parents that reflect the racial and ethnic diversity of the children in the state who are awaiting foster and adoptive homes.~~
- ~~The Indian Child Welfare Act (ICWA) (PL 95-608) expresses a strong preference for the placement of Indian children with kin and/or members of the tribe.~~
- ~~The Safe and Timely Interstate Placement of Foster Care Children Act of 2006 (PL 109-239) seeks to improve protections for children and holds states accountable for the safe and timely placement of children into safe permanent homes across state lines.~~
- ~~The Adam Walsh Child Protection and Safety Act of 2006 (PL 109-248) requires nationwide criminal background checks, including fingerprinting, for prospective foster and adoptive parents and requires child abuse and neglect registry checks for prospective foster and adoptive parents and adult members of their households.~~
- ~~The Fostering Connections to Success and Increasing Adoptions Act of 2008 (PL 110-351) requires the State to make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement, or facilitate visitation or ongoing contacts with those that cannot be placed together, unless it is contrary to the safety or well being of any of the siblings.~~

~~Rhode Island General Law (RIGL) Title 15, Chapter 7 provides the legal basis for the adoption of children and addresses the following:~~

- ~~RIGL 14-1-27~~

- RIGL 42-72-8

- ~~Circumstances under which adoption may take place (RIGL 15-7-2 through 10)~~
- ~~Pre-adoption report submitted by DCYF or the licensed child placement agency that is placing a child for adoption to the prospective adoptive parents as early as practicable after the filing of a termination of parental rights or direct consent adoption petition and before a prospective adoptive parent agrees to accept the child for purposes of adoption (15-7-2.1)~~
- ~~Home study report submitted to the court by DCYF or licensed child placement agency on proposed adoptive family (RIGL 15-7-11)~~
- ~~Length of time that child must reside with proposed adoptive family prior to adoption (RIGL 15-7-12)~~
- ~~Consideration of a preference for a specific religious faith (RIGL 15-7-13)~~
- ~~Adoption decree (RIGL 15-7-14)~~
- ~~Post-adoption privileges for biological parents in open adoptions (RIGL 15-7-14.1)~~
- ~~Name change (RIGL 15-7-15)~~
- ~~Adoption subsidy (RIGL 15-7-25)~~
- ~~Rights of appeal (RIGL 15-7-19 through 21.1)~~
- ~~Passive Voluntary Adoption Mutual Consent Registry Act (RIGL 15-7.2)~~

Permanency planning for a child begins at the time that a child enters out of home care. Decisions made early ~~on~~ in the placement process ~~can~~ have a long-term effect upon permanency and well-being outcomes for a child. Siblings ~~shall be~~ placed together in foster care unless it is contrary to the safety or well-being of any of the siblings ~~to place them together~~. The assessment process provides an opportunity for ~~workers staff~~ to search and evaluate the appropriateness of kinship ~~providers caregivers and as well as~~ to determine if a concurrent resource is indicated. In-state and out-of-state adoption resources ~~must be~~ considered. Birth parents are given the opportunity to discuss permanency options for their child and are provided with information and counseling referrals to assist them with adoption issues.

When adoption is the permanent goal for a child in care, ~~it is imperative that~~ Departmental staff work together toward accomplishing the goal in an organized and timely manner. The ~~Family Service Unit (FSU) caseworker has~~ Department's primary service worker and/or supervisor ~~are responsible~~ the primary responsibility ~~to~~ facilitate the adoption process for a child awaiting a permanent family. The ~~FSU caseworker primary service worker must~~ registers the eligible child with the ~~Permanency Support Services Unit~~. The ~~clinical training specialist in the Permanency Support Services Unit~~ is responsible for recruit~~ing~~ and train~~ing~~ prospective foster and adoptive parents, prepar~~ing~~ the adoption licensing home study and register~~ing~~ the child with the contracted adoption resource exchange. The ~~Unit Permanency Services Unit~~ also provides consultation, education, ~~and~~ support ~~and referrals~~ to staff and adoptive parents throughout the adoption process ~~and when issues arise after the finalization of the adoption~~. The ~~Permanency Services Unit~~ Permanency Support Unit Subsidy Coordinator ~~is responsible to~~ review~~s~~ the adoption subsidy prior to adoption finalization and recertifi~~es~~ the subsidy ~~on an a bi-annually basis~~. ~~In addition, the Permanency Support Unit Permanency Services Unit provides consultation and referral services for families when issues arise after the finalization of the adoption.~~

The initial step in the adoption process occurs when the termination of parental rights (TPR) petition is filed in Family Court. At this time, the service plan goal for a child changes to adoption and the Department ~~must~~ document~~s~~ efforts to obtain a permanent ~~resource family~~. ~~It is the intent of~~ the Department ~~to~~ move~~s~~ toward adoption as expeditiously as possible while continuing to safeguard the rights and address the needs of all parties. ~~A~~ Therefore, it is possible for a child ~~may~~ be placed with a permanent resource family after a TPR petition has been filed, even if the child is not legally free for adoption. A placement is considered to be "legal risk" when a child is placed with a permanent resource family before the termination of all existing parental rights.

When this occurs, ~~DCYF Department staff inform~~~~staff inform~~~~staff informs~~ the permanent resource family that, although petitions have been filed to terminate parental rights, there is a risk that the Court Family Court may not grant the TPR. To decrease the negative effect ~~of that~~ multiple placements ~~have upon~~ a child's ~~emotional development~~, consideration ~~shall be~~ given to a legal risk placement for a child during the TPR process if it is in the best interest of the child. If an appeal is filed following the decision to terminate all parental rights, the child's placement is also considered as "legal risk".

When the parental rights of a child in foster care are terminated, the FSU caseworker~~Department's primary service worker and/or~~ must inform supervisor inform the foster parent(s) of the TPR and determine whether the foster family ~~will be a~~ is a permanent resource family for the adoption of the child. ~~When~~~~For~~ a child is placed with a relative, the Department is obligated under RIGL 14-1-27 to give priority for permanent placement or adoption to that relative ~~with whom the child is placed as long as if~~ it is in the best interests of the child.

RIGL 42-72-8 allows the Department to share confidential information from Departmental records for the purpose of effectuating the temporary or permanent placement of a child. This provision includes the right to share non-identifying health care information about the child's family, which is contained within DCYF Department files, with prospective placements ~~providers~~ and resources. Caretaker Caregivers have a right to receive personally identifiable, protected health ~~care~~ information (PHI) about a child who is placed in their home as a matter of state and federal law. When a current foster home, kinship home or an adoptive home is identified as a potential permanent resource family for a child, the Department's primary service FSU worker ~~is expected to provide~~ a full presentation disclosure of the child to the permanent resource family. The presentation full disclosure process provides an opportunity for the Department to share with the prospective adoptive family parent a report containing relevant information about the child that is reasonably available regarding medical, psychological, educational or other services that have been provided to the child. Relevant non-identifying information concerning the medical, psychological and social history of the child's birth parents and siblings must are also ~~be~~ shared.

Preparation of a child ~~for adoption~~ is essential to ~~ensure a~~ successful adoption~~ful adoption~~ experience. Ongoing counseling for a child that ~~will focus~~ es on adoption issues, including preparation for adoption as a permanency option ~~and as well as~~ for a specific prospective adoptive family parent, is recommended for ~~all children as age appropriate~~ who are age appropriate. Depending upon the child's age and developmental level, the child is given the opportunity to express a choice about adoption planning. A schedule of pre-placement visitation ~~will be~~ established that ~~will allow~~ s the child and the prospective adoptive family adoptive parent an opportunity to get to know each other prior to placement. During the pre-placement and initial placement phases of the adoption process, the FSU caseworker primary service worker and/or ~~must maintain~~ supervisor maintains consistent and meaningful contact with the child and the prospective adoptive family adoptive parent to assess the child's and family's adjustment and to address any issues of concern. The prospective adoptive family adoptive parent may require ongoing support to assist with the child's adjustment to the adoptive home, to understand changes to the family system and to encourage the development of emotional ties between the adoptive family adoptive parent and the child. ~~There are occasions when an adoptive placement disrupts at some point in the process; however, a~~ Adequate preparation of the child and the adoptive family adoptive parent, the provision of appropriate services and open and positive communication among all parties ~~(including the professionals working with the child and family)~~; increase the likelihood of satisfactory adoption outcomes ~~and decrease the likelihood of~~ disruption.

The pProspective adoptive parent(s) may file an adoption petition after all parental rights have been terminated and the child has resided in their home for six ~~(6)~~ months. In the event that a child is not placed in a permanent resource is not found for a child within thirty ~~(30)~~ days from the date of the final TPR decree, RIGL 15-7-7 requires the Family Court to review the status of the child. The Department must inform the Family Court of its efforts to recruit an adoptive resource

for the child. Post-adoption privileges may be granted by the Family Court in accordance with RIGL 15-7-14.1 ~~under certain circumstances~~ when the birth parent~~(s)~~ and child have a significant emotional attachment and it is considered to be in the best interest of the child to maintain some contact with the birth parent~~(s)~~.

### **Related Procedures**

[Preparation for Adoption](#)

[Adoption Placement](#)

[Post-Placement and Legal Finalization of Adoption](#)

### **Related Policies**

[Adoption Subsidy](#)

[Comprehensive Assessment and Service Planning](#)

[Concurrent Planning](#)

[Complaints and Hearings](#)

[Criminal Records Checks](#)

[Clearance of Agency Activity](#)

[Worker/Client Contact](#)

## Preparation for Adoption

### Procedure from Policy 700.0085: Adoption

- A. First ~~S~~steps in the ~~A~~adoption ~~P~~rocess
1. Upon the filing of a Termination of Parental Rights (TPR) petition in Family Court, the primary service worker and/or supervisor ~~is responsible to~~ develops a new case plan with the goal of adoption.
  - 1.2. Upon identification of the need of a permanent family, or other adoption services, the Family Services Unit worker and/or supervisor ~~is responsible to~~ registers all children with the Permanency Services Unit. ~~the filing of a Termination of Parental Rights (TPR) petition in Family Court, the Family Services Unit (FSU) worker is responsible to register all children with the Permanency Support Unit.~~
  - 2.3. The FSU worker ~~primary service worker and/or complete~~ supervisor complete the DCYF #054, Adoption Profile Registration Form and ~~forwards~~ forward it to the ~~chief casework supervisor~~ Permanency Services Unit ~~in the Permanency Support Unit.~~
  - 3.4. When an adoptive ~~resource~~parent or other adoption services are needed, ~~the Permanency Support Unit~~ Permanency Services Unit ~~will~~ forwards the child's registration to the contracted adoption exchange agency, ~~agency, if an adoptive resource is needed, and will notify~~ notifies the FSU worker ~~primary service worker~~ and supervisor when this is completed.
  - 4.5. A clinical training specialist in the ~~Permanency Support Unit~~ Permanency Services Unit ~~will~~ meets with FSU staff ~~the primary service worker and/or supervisor~~ for case consultation as needed.
    - a. ~~The unit~~ Permanency Services Unit ~~will~~ assists FSU ~~the primary service worker and/or supervisor~~ in convening a consultative team comprised of representatives from the ~~Permanency Support Unit,~~ Permanency Services Unit, treatment providers working with the child and community providers with adoption expertise.
    - b. This team may assist FSU workers and supervisors ~~the primary service worker and/or supervisor~~ with ~~adoption issues,~~ such ~~issues~~ as, selection of a pre-~~adoptive family~~ adoptive parent, pre-placement visitation, placement, open adoption arrangements and disruption.
  6. If a foster/kinship caregiver is indecisive regarding adopting the child, the primary service worker and/or supervisor request a meeting with the permanency support team. The primary service worker and/or supervisor may also request that a member of the team meet with the foster parent to assist them with their adoption decision. If the foster parent decides not to adopt, the Department initiates the search for an adoptive parent.  
~~If planning for a child includes adoption by the child's current foster or kinship provider, the worker follows steps in Section D below.~~
  - 5.7. If a child is in need of an adoptive home, the primary service worker and/or supervisor follows steps in Section ~~G~~ E below.
- B. Establishment of a ~~N~~ew ~~C~~ease ~~R~~ecord ~~F~~ollowing TPR
1. ~~Each child shall have a~~ A new case record (both hard copy and in RICHIST) ~~is~~ established when the parental rights of both parents have been terminated.
  2. This record ~~is established by the primary service worker and/or supervisor and includes the following:~~
    - a. Current and complete ongoing case activity notes beginning from the date that the TPR was granted.
    - b. Service plan reflecting the goal of adoption developed with the ~~caretaker~~ caregiver and child, if of appropriate age. ~~(Refer to DCYF Policy 700.0075, Comprehensive Assessment and Service Planning-).~~

- c. Medical Consent Authorization (DCYF #003) signed by the regional director and Authorization for Routine and Emergency Medical Treatment (DCYF #004) signed by ~~worker~~primary service worker and supervisor.
- d. Copy of child's birth certificate.
- e. Complete medical history of child, including any available reports.
- f. Copies of any evaluations or counseling reports specific to the child.
- g. Copy of TPR petitions terminating all parental rights with written disposition by a Justice of the Family Court.
- h. Complete adoption registration.
- i. Photographs of child at various ages if available.
- j. Photographs of biological parents and siblings if available.
- k. Photographs of foster parents if available and willing.

C. Responsibilities of the Permanency ~~Support Unit~~Service Unit-specialist

- 1. Recruitment and screening of adoptive families.
- 2. Preparation of foster and adoptive families.
- 3. Completion of adoption home study and recommendation.
- 4. Adoption consultation.

~~D. Guidelines for adoption by foster or kinship care provider~~

- ~~1. Permanency planning begins at the time a case opens to the Department. If a family assessment indicates that the family meets the criteria for concurrent planning, a concurrent resource should be utilized for placement, if possible (Refer to Policy 700.0215, Concurrent Planning).~~
- ~~2. Permanency options for a child and the intentions of the foster/kinship care provider are discussed early in the placement process and continue throughout the child's placement with the family. This discussion is not left until the time that a TPR is filed.~~
- ~~3. Discussions with the foster/kinship care provider regarding a child's potential eligibility for an adoption subsidy must begin early in the permanency process.~~
- ~~4. When foster/kinship care provider has been indecisive regarding adopting the child, the FSU worker, after consultation with his or her supervisor, may request a meeting with an adoption consultation team (described in Paragraph A, above) comprised of staff from the ~~Permanency Support Unit~~ as well as other professionals involved in the child's life. The purpose of this meeting is to offer information and assistance to FSU staff on the adoption issues involved in the specific case. FSU may also request that a member of the team meet with the foster parents to assist them with their adoption decision. If the foster parents decide not to adopt, the Department will initiate the search for an adoptive family.~~
- ~~5. Foster parents are required to attend training on adoption issues prior to finalization of the adoption. Worker contacts the Permanency Support Unit to arrange training for foster parents who have not yet participated in training relating to adoption issues.~~
- ~~6. A home study for a foster/kinship caretaker who adopts must follow same guidelines as adoptive home study (refer to Section E below, Home study).~~
- ~~7. The FSU worker must arrange a full presentation of the child for foster/kinship caretakers before the adoption, preferably as soon as possible after the filing of the TPR petition. (Refer to Section I below, Presentation to prospective adoptive family).~~
- ~~8. The FSU worker must also provide foster parents with a Pre-Adoption Report prior to finalization of adoption. (Refer to Section J below, Disclosure of Information). A signed copy of the report is included in the hard copy record.~~
- ~~9. If child is receiving special education services and foster/kinship caretaker is not the child's educational/surrogate parent, the FSU worker encourages caretaker to~~

~~participate in educational surrogate parent training prior to finalization of adoption.~~

~~10. The FSU worker engages in early and ongoing discussions regarding openness in adoption and the type of contact (e.g., photographs only, letters, visits), if any, with the birth family that would be acceptable to all involved parties and would be in the best interest of the child.~~

~~11. When a child is placed with a concurrent planning resource family, it is essential that ongoing communication occurs between the worker and the family regarding permanency planning for the child. When a child placed with a concurrent planning resource family is legally free for adoption, the FSU worker will follow the same process as for foster parents who adopt a child.~~

#### E.D. Adoption Home Study

1. RIGL 15-7-11 establishes the requirements for the ~~adoption h~~home study report that ~~must be~~is submitted to the Family ~~Court~~Court by ~~DCYF the Department~~ or the licensed child placement agency relative to the suitability of the proposed ~~adoptive family~~adoptive parent.
2. The Family ~~Court~~Court adoption home study report is completed by the assigned ~~FSU worker primary service worker and/or and supervisor and~~ submitted to the ~~Court~~Family Court in compliance with the provisions of RIGL 15-7-11. (~~R~~refer to ~~p~~Procedure, Post Placement and Legal Finalization of Adoption, Section B. Legal Process).
  - a. The SAFE Home Study, or the DCYF #053, Foster Care/Adoption Licensing Home Study, completed by the ~~DCYF Department~~ clinical training specialist or licensing worker, or the home study completed by the private agency clinician provides the basis of the Family Court adoption home study report.
    - i. If the original home study was not completed on the DCYF #053, the licensing worker ~~is responsible to~~ completes the DCYF #053 upon re-licensing the home. Licensing worker ~~must~~ensures that all aspects of the current home study process are completed.
    - ii. If the original home study was not completed on the DCYF #053, the licensing worker ~~is responsible to~~ completes the DCYF #053 prior to re-licensing if the foster parents ~~is~~are planning to adopt a foster child in the interim. ~~The L~~icensing worker ~~must~~ensures that all aspects of the current home study process are completed. The ~~primary service worker primary service worker and/or is supervisor is~~ responsible to assist in this process by ensuring that the family self assessment has been completed and the contact information for personal references has been provided to the licensing worker.
  - b. While most of the required information for the Family Court report is contained in the DCYF #053, the ~~worker primary service worker and/or submittingsupervisor submitting~~ the adoption home study report to the Family Court ~~must~~addresses and includes in the report any additional required information ~~required that is not included in the DCYF #053.~~
  - c. ~~The primary service w~~Worker ~~and/or supervisor~~ submitting the adoption home study report to the Family Court ~~must~~ensures that all of the information provided is complete and current. Any required information that is not included in the DCYF #053 is provided to the Family Court in the DCYF #053A, Adoption Home Study - Family Information Update to the Family Court. Also included in the DCYF #053A are:
    - i. Results of updated statewide BCI and DCYF clearances completed within the last six months. (Refer to DCYF Policy 700.0105, Clearance of Agency Activity Policy and DCYF Policy

900.0040, Criminal Record Background Check(s)). Add related policy reference?

- ii. Results of updated nationwide (fingerprints) clearance completed within eighteen months of the date of adoption. (Refer to - DCYF Policy 900.0040, Criminal Record Background Check(s)). Add related policy reference?
  - iii. Adam Walsh Clearance (Refer to Section 671 (a)(20) of 42 USC).
  - ~~ii.iv.~~ Information regarding ~~the relationship between the adoptive parent s and the child, specifically,~~ the match between the prospective adoptive parent(s) and the child, including attitudes and capabilities of prospective adoptive parent(s) and the child's characteristics and background.
3. The adoption home study investigation ~~, in accordance with RIGL 15-7-11, must~~ includes:
- a. At least two ~~(2)~~ home visits by the individual ~~responsible for~~ completing the home study. All household members ~~must be~~ interviewed during the home study process by the ~~DCYF Department~~ clinical training specialist or licensing worker who completes the SAFE Home Study, the DCYF #053, Foster Care/Adoption Licensing Home Study or the private agency clinician who completes the private agency home study.
  - b. At least one ~~(1)~~ home visit ~~must take~~s place subsequent to the completion of the home study. In the case of a ~~DCYF Department~~ adoption, this visit is conducted by the ~~FSU worker primary service worker and/or whesupervisor who isare~~ preparing the Adoption Home Study Report for the Family Court.
4. The ~~h~~home ~~s~~study ~~r~~report submitted to the Family Court must includes a summary of the agency's past and present contact with the prospective adoptive family adoptive parent as well as ~~the following information:~~
- a. Results of criminal, ~~DCYF Department and child abuse and neglect registry clearances~~ Clearance of Agency Activity and Adam Walsh clearances.
    - i. ~~Statewide and nationwide (fingerprinting) criminal records checks must be completed for each prospective adoptive parent and anyone in the household who is age eighteen (18) or over (refer to Policy 900.0040, Criminal Records Checks, for listing of disqualifying information).~~
    - ii. ~~A DCYF clearance check for each prospective adoptive parent and all household members including the results of other state child abuse and neglect registry check(s) in which any such prospective parent or other adult household member has resided in the preceding five (5) years must be completed. (Refer to Policy 700.0105, Clearance of Agency Activity).~~
  - b. Identifying information on all household members, including minor children and the current needs of each child.
  - c. Information regarding the prospective adoptive parent's motivation and reasons for the adoption.
  - d. Current background information on the prospective adoptive parent(s), including a written self-assessment ~~(attached)~~.
  - e. Child care experience and parenting philosophy of the prospective adoptive parent(s).
  - f. Information regarding past and present marriage and/or partnership relationships.
  - g. Current medical and psychological conditions, including any addiction to drugs or alcohol of any prospective adoptive parent(s) that may be seriously detrimental to the health and welfare of children.

- h. Description of home and local community, including any health and safety concerns regarding the home.
- i. Information regarding the finances and employment of the prospective adoptive parent(s).
- j. Reference letters from at least three (3) individuals, two (2) of whom are non-relatives. Previous references on file are acceptable. (attached)
- k. Information regarding the prospective adoptive parent(s)'s willingness and ability to accept and cooperate with adoption support services including their level of understanding regarding openness with the birth family.
- l. Information related to the match between the prospective adoptive parent(s) and the child, including attitudes and capabilities of prospective adoptive parent(s) and the child's characteristics and background.
- m. Recommendation regarding the suitability of the prospective adoptive parent(s) for adoption.

F.E. Selection of an A adoptive F family for a C child with no I identified A adoption R resource

1. ~~The selection process~~ is based upon an assessment of the child and his/-or-her needs. A family who can best meet the child's needs is selected as the prospective adoptive resource for the child. The C child's involvement in the adoption process is based upon child's age and developmental level.
2. The contracted adoption exchange agency sends potential home studies to the FSU worker/primary service worker and/or supervisor/supervisor to review.
3. ~~FSU worker~~ The primary service worker and/or supervisor and supervisor review potential home studies and select most appropriate match.
4. ~~The FSU primary service worker and/or supervisor may~~ consult with the contracted adoption exchange agency, the ~~Permanency Support Unit~~ Permanency Services Unit or convene a consultation team to assist in the review and selection of a prospective/potential adoptive family/adoptive parent for a child. (Refer to Section A, 4-5 above).
5. In most cases, the ~~FSU worker/primary service worker and/or identifies~~ supervisor identifies one family as the most appropriate ~~potential~~ adoptive match for the child and schedules a ~~formal presentation~~ full disclosure with that family. ~~If in the event the FSU worker/primary service worker and/or believes~~ supervisor believes that that in order to make the most appropriate match possible, he or she must meetings with more than one family is necessary to determine the best match, the FSU worker/primary service worker/he/she and/or his/her supervisor, in consultation with his or her supervisor, informs supervisor informs the chief casework supervisor of the Permanency Support Unit Permanency Services Unit.
  - a. The Permanency Services Unit chief casework supervisor will facilitate the home visits between the ~~FSU worker/primary service worker and/or and supervisor and~~ the families involved.
  - b. ~~These meetings can only occur when the~~ families are have been fully informed of the preliminary nature of the meeting, and ~~have a~~ clearly understanding that more than one family is being considered by the ~~worker/primary service worker and/or supervisor.~~
  - c. ~~This informal~~ meeting will does not take the place of a ~~formal presentation~~ full disclosure. A full disclosure formal presentation will be scheduled when one family has been identified as the most appropriate match.

~~6. After a decision is made regarding a specific adoptive family, FSU worker contacts the clinical training specialist who completed the home study or the contracted adoption exchange agency for a family from an outside agency. The contracted adoption exchange agency will then contact the person who completed the home study.~~

~~7. The licensing worker who completed the home study and/or the contracted adoption exchange agency is responsible for contacting the potential adoptive family resource with a brief sketch of the child to determine if the family is interested in pursuing a full presentation of the child.~~

~~8.6. If the family is interested, the FSU worker primary service worker and/or must preparesupervisor prepare a full presentation of the child.~~

~~9.7. When no potential home studies are available to match the child's needs, the FSU worker primary service worker and/or supervisor, the Permanency Services Unit and the contracted adoption exchange agency will develop a recruitment plan to meet the individual child's needs.~~

- a. The plan may include media, web and other recruitment strategies.
- b. The contracted adoption exchange agency may request photographs and additional information.
- c. Recruitment efforts ~~should~~ include the use of in-state and out-of-state options, regional and national adoption exchanges, including the use of the Internet when available and appropriate.

#### G.F. Sibling Placements

1. The Department ~~must~~ makes reasonable efforts to place siblings, who were removed from their home, in the same foster care, adoption or guardianship placement unless it is contrary to the safety or well-being of any of the siblings ~~to place them together.~~
2. If siblings are separated at the time of initial placement in out-of-home care, ongoing consideration ~~must be~~ given to placing them ~~together.~~ ~~If the needs of one of the siblings initially requires separate placements initially, the situation must be continuously assessed and, if possible, siblings moved into same foster home as soon as possible.~~
3. When siblings placed separately in foster care are free for adoption, a ~~serious choicedecision~~ ~~will need to be~~ made whether to place the children together or keep in separate homes where they have formed attachments. This decision ~~must be~~ made on an individual basis. Consultation with involved therapists and other parties is recommended as part of ~~the~~ decision making ~~process.~~
4. Siblings placed separately ~~have an ongoing require need for~~ regular, ~~on going~~ contact. ~~And a plan to facilitate ongoing contact shall be established. If siblings cannot be placed together because it is contrary to the safety or well-being of any of the siblings, T~~he Department ~~must~~ makes reasonable efforts to facilitate visitation or ongoing contacts with siblings that cannot be placed together.
5. ~~When siblings are to be placed together in an adoptive home, it is recommended the children be placed in the home at the same time.~~

#### H.G. Presentation Full Disclosure to Pprospective Aadoptive Ffamily

1. Participants in the ~~presentation full disclosure~~ process may include the ~~FSU worker primary service worker~~ and/or supervisor, the individual who completed the home study ~~(adoption worker or clinical training specialist),~~ ~~the Permanency Services Unit worker,~~ a staff person from the contracted adoption exchange agency and others whom the family requests ~~to be there.~~ The child is not present at the ~~presentation full disclosure.~~
2. The location of the presentation is usually in the ~~prospective etential adoptive family adoptive parent's~~ home, but it may be in any setting comfortable for them and at a time that is convenient for them.
3. Presentation process
  - a. ~~The Pprimary service~~FSU worker comes to presentation with specific information regarding child. Written documentation (refer to Section J below, Pre-Adoption Report - Disclosure of Information) is shared with the prospective ~~adoptive family adoptive parent.~~

- b. ~~The P~~primary service FSU worker and the ~~adoption worker~~Permanency Services Unit worker or clinical training specialist will fully explain the ~~presentation~~full disclosure process to the ~~potential prospective adoptive family~~adoptive parent, including next steps in the process and time frames.
  - c. Information is provided regarding the child's eligibility for adoption subsidy, if appropriate, and other child and family adoption support resources.
  - d. ~~The Adoption worker or clinical training specialist~~Permanency Services Unit worker will provides the prospective ~~family~~adoptive parent with support and guidance regarding the information presented, written documentation provided and the adoption process.
  - e. All reasonably available relevant information related to the child ~~must be~~is shared with the family, including written reports about the child and non-identifying information regarding the biological family. The prospective ~~adoptive family~~adoptive parent is required to sign the DCYF #054A ~~D~~isclosure of ~~i~~nformation form acknowledging receipt of information.
4. Following the ~~presentation~~initial presentation process, ~~the adoption worker~~Permanency Services Unit will contacts ~~the potential prospective adoptive family~~adoptive parent ~~regarding presentation and~~ to determine if the family is interested in moving forward with ~~the process~~permanency. ~~This will occur~~s within five ~~(5)~~ days following ~~the presentation~~full disclosure.
  5. ~~The Adoption worker or clinical training specialist~~Permanency Services Unit will notifies FSU worker~~the primary service worker~~ and/or supervisor of ~~potential~~the prospective adoptive ~~family~~adoptive parent's decision.
  6. If ~~the prospective family~~adoptive parent wishes to proceed and FSU~~the worker~~primary service worker and supervisor agree, ~~the~~ family is encouraged to contact the individuals listed on the Collateral Contacts Checklist in the DCYF #054A. ~~The primary service~~FSU worker will contacts the individuals beforehand to advise them that the prospective ~~pre-adoptive family~~adoptive parent may be in contact. ~~Worker lists~~ Only collateral contacts who have agreed to speak with the prospective ~~pre-adoptive parent~~ are listed~~(s)~~.
  7. ~~Primary service~~FSU worker and/or /supervisor and ~~the adoption worker/clinical training specialist~~Permanency Services Unit participate in meetings scheduled by ~~prospective~~potential adoptive ~~family~~adoptive parent with those listed on Collateral Contacts sheet.
  8. The time frame for completing the collateral contacts ~~will vary~~es depending upon the availability of providers to meet with ~~the prospective~~potential adoptive ~~family~~adoptive parent. Ongoing communication between all parties is essential ~~during this process~~.
  9. Occasionally, the ~~primary service~~FSU worker and/or supervisor may have reservations following the ~~presentation~~full disclosure ~~presentation~~ about the suitability of the match between a ~~particular~~ family and a child. If the ~~primary service~~ FSU worker has reservations regarding the match ~~and does not want to move forward in the adoption process with the prospective family, the following steps are taken~~:-
    - a. ~~The P~~primary service FSU worker discusses concerns with supervisor regarding the appropriateness of the match ~~between the adoptive family and the child~~.
    - b. If the supervisor agrees with the ~~primary service~~ FSU worker's assessment, ~~either~~ the supervisor or ~~primary service~~ worker contacts ~~the adoption worker/clinical training specialist~~Permanency Services Unit within five ~~(5)~~ days ~~following of~~ the ~~full disclosure~~ presentation to outline concerns regarding the match ~~between the child and the prospective adoptive family~~:-

- ~~e. Through discussion between FSU worker/supervisor and the adoption worker/clinical training specialist, a decision will be made regarding whether or not the concerns are justified and if the process will be terminated at this point.~~
- ~~d.c. If the primary service worker and/or FSU decidessupervisor decide not to move forward with theis match, the adoption worker/clinical training specialist-Permanency Services Unit will makes the initial call to the family to advise them of the decision.~~
- ~~e.d. The Pprimary serviceFSU worker or supervisor will follows up with a phone call and written notification informing the family of the decision not to move forward in the adoption process for the child who was presented to the family.~~
- ~~f.e. The Pprimary service FSU worker or adoption workerPermanency Services Unit worker will ensures that the family returns any written information regarding the child that was shared during the presentation full disclosure presentation process.~~

I.H. Pre-Adoption Report - Disclosure of Information

1. As early as practical, after the filing of a Termination of Parental Rights (TPR) petition or direct consent adoption and before a prospective adoptive parent agrees to accept a child for adoption (usually during the ~~presentation-full disclosure~~ process), the ~~primary serviceFSU~~ worker presents the prospective adoptive parents a written pre-adoption report containing a summary of the following information that is available within the records of the Department. This report consists of the DCYF #054, Adoption Profile Registration Form and the DCYF #054A, Adoption Profile Disclosure of Information Form and may include ~~attached-additional~~ reports.
  - a. A current medical, dental, developmental and psychological history of the child, including an account of the child's prenatal care, medical condition at birth, developmental milestones; any medical, psychological or psychiatric examinations and diagnosis related to the child; any physical, sexual or emotional abuse or neglect suffered by the child; any developmental assessment and a record of any immunizations received while the child was in foster or other care; the child's enrollment and performance in school and any special educational needs and any adjudications of waywardness and/or delinquency;
  - b. If the child has undergone any genetic testing, and the agency is aware of the results, those results ~~must beare~~ disclosed in writing to the prospective adoptive parent(s);
  - c. If the child has been tested for HIV, and the agency is aware of the results, those results ~~must beare~~ disclosed in writing to the prospective adoptive parent(s);
  - d. The age, race, religion, ethnicity and general physical appearance of biological parents;
  - e. The educational levels of biological parents and any known diagnosed learning disabilities of biological parents and any siblings;
  - f. The relationship between biological parents; the age and sex of any other children born to the biological parents and, if a parent is deceased, the cause of and the age at death;
  - g. Non-identifying medical, substance abuse and mental health histories of the biological parents and siblings of the child, including any information relating to drugs and medications taken by the child's biological mother during pregnancy, any known allergies, hereditary, genetic or metabolic diseases;

- h. The Department's expectations, relative to the nature and extent of continuing contact between the child, biological parents, siblings and/or other relatives of the child;
  - i. The length of time the child has been in the care of the agency and the child's placement history;
  - j. Child's ~~prospective potential~~ eligibility for state or federal benefits, including adoption subsidy and adoption tax credit;
  - k. A listing of Collateral Contacts that provides information on how to contact providers for the child;
  - l. Any other information that the Family ~~Court~~Court considers necessary and appropriate to serve the child's best interests.
2. The report provided to the prospective adoptive parent ~~must be~~ signed and dated by the ~~primary service FSU~~ worker who prepared the information and by the prospective adoptive parent(s) who is receiving the information.
    - a. ~~\_\_\_\_\_~~ -A copy of the report with the prospective adoptive parent(s)'s signature is included in the hard copy record.
    - b. ~~\_\_\_\_\_~~ -Unless confidentiality has been waived, ~~no~~ information ~~does not shall~~ ~~included~~disclose the name or last known address of ~~the any~~ biological relatives.
    - c. ~~\_\_\_\_\_~~ -Any report regarding the child may disclose the identity of providers of professional services to the child.
  3. The prospective adoptive parent(s) ~~must be~~ advised that the documents are not to be copied and ~~must agree~~ that the information provided ~~shall is~~ not ~~to~~ be re-disclosed without the specific consent of the legal guardian.
  4. ~~If the child is not yet free for adoption, the prospective adoptive parent may review copies of all educational, medical and mental health/behavioral reports pertaining to the child. The original documents remain in the case record.~~
  5. ~~If the child is free for adoption, the prospective adoptive parent is/are provided with written copies of all educational, medical and mental health/behavioral reports pertaining to the child. The original documents remain in the case record. and shall be returned to the Department representative who signed and dated the report if the prospective adoptive parent(s) decides not to adopt the child.~~
  - 4-6. ~~If information listed in Paragraph 1 above was not available at the time the pre-adoption report was provided to the prospective adoptive parent(s) but becomes available prior to the adoption proceeding, the assigned primary service FSU worker provides the prospective adoptive parent(s) a supplemental written report containing the required information. The supplemental report that is signed and dated by the primary service FSU worker and the prospective adoptive parent(s). A signed copy is kept in the hard copy file.~~
  - 5-7. ~~The court~~Family Court may request that a parent in a TPR proceeding provide the required information.
  - 6-8. The above procedures do not prohibit the voluntary exchange of identifying information between mutually consenting biological parents and adoptive parents.

# Adoption Placement

## Procedure from Policy 700.0085: Adoption

- A. Preparation of ~~child~~Child for Aadoption
1. The primary serviceFSU worker ~~and/or supervisor~~ ~~is responsible to~~ arranges adoption preparation counseling for any child in out of home placement who is of appropriate age by the time of the permanency hearing, or prior to this time when possible. Counseling must ~~addresses~~ and provides the following:
    - a. Understanding of reasons for placement in out of home care;
    - b. Grief and loss counseling;
    - c. Adoption preparation, including the development of a life book;
    - d. Sharing of ~~i~~information about a prospective~~potential~~ adoptive family~~adoptive parent~~ through techniques like reviewing a family's welcome book;
    - e. A plan for pre-placement visitation and moving in with an adoptive family~~adoptive parent~~;
    - f. Competent~~S~~support and counseling for child for possible grief reactions and sufficient time for expressing feelings and opinions regarding adoption; and
    - g. Ongoing support for child after moving in with adoptive family~~adoptive parent~~.
  2. The involvement of the child in planning for adoption is recommended. The FSU worker~~primary service worker and/or~~ ~~is~~supervisor ~~are expected to~~ provide the child with the opportunity to express choices consistent with age and developmental level.
- B. Pre-placement Vvisitation
1. ~~The P~~Primary service FSU worker ensures that child is presented with specific information about adoptive family~~adoptive parent~~ being considered, including the sharing of a family's welcome book, if available, before the initial visit with prospective~~potential~~ adoptive family~~adoptive parent~~. This presentation occurs preferably in a therapeutic environment.
  2. ~~The P~~Primary serviceFSU worker arranges and is present during a brief initial introduction of the child to the prospective adoptive family~~adoptive parent~~ in a child-oriented environment.
  3. ~~The number, location and duration of pre-placement visits and timing of placement are determined by the child's age and particular needs of child and adoptive family.~~ A team approach to the establishment of the visitation plan that involves the therapist, current caregiver~~placement providers~~, prospective adoptive family~~adoptive parent~~ and other involved parties, such as, Court Appointed Special Advocates (CASA), CASA, is recommended.
  4. Pre-placement visitation
    - a. Primary service FSU worker develops a visitation schedule with the prospective~~potential~~ adoptive family~~adoptive parent~~ and the child's current caretaker~~caregivers~~. The visitation schedule is shared with all parties.
    - b. ~~In most situations,~~ childChild has input and participates in the development of visitation schedule.
    - c. If it is not practical to involve child in the establishment of a visitation schedule, the child is informed of the visitation plan.
    - d. Visitation is a critical component of a successful permanency plan and should be~~is~~ supported by all parties. ~~While it is expected that~~ a child may experience behavioral and emotional adjustments during the pre-placement visitation stage; ~~however~~, it is not appropriate to withhold

visitation or have it integrated into a behavior management plan for the benefit of the current placement from the child.

- e. Assessment of the visitation by all involved parties, including the child's therapist, is ongoing during the transition process. A decision to modify the visitation schedule is made in collaboration with the adoptive family adoptive parent, the child's therapist, the current placement provider caregiver and the child, if appropriate.
5. The Primary service FSU worker encourages current caregiver stakeholders to assist with the transition process because they possess valuable information regarding the child. The worker is expected to assist the current caretakers and the child to deal with feelings of separation that may occur during this transition.
6. The primary service worker is responsible to transition the child to the prospective adoptive home on a schedule that meets the needs of the individual child.

C. Services to the Child and Family in Adoptive Placement

1. The Service plan is updated in collaboration with the child, the prospective adoptive family adoptive parent and providers to address services needed to maintain and strengthen the placement. The prospective Adoptive parent(s) and child if of appropriate age are asked to sign the service plan. (Refer to DCYF Policy 700.0075, Comprehensive Assessment and Service Planning.)
2. The Primary service FSU worker maintains, at a minimum, monthly visits with family. (Refer to Policy 700.0165, Worker/Client Contact). The Primary service FSU worker, in consultation with his/her supervisor, determines if more frequent home visits to the child and prospective adoptive family adoptive parent are indicated in the early stages of the adoptive placement. Ongoing and frequent phone contact is essential.
3. The Primary service FSU worker provides prospective adoptive parents with information about adoption support services, including information regarding appropriate crisis resources.
4. The Primary service worker submits for signature to the prospective adoptive parent(s) the DCYF #065, Adoption Placement Agreement, indicating family's commitment to provide permanent placement for child. The Child signs if of appropriate age.
5. All necessary medical forms, including the DCYF #004 must be provided.
6. The Primary service FSU worker and/or supervisor assists family with school placement issues, including transfer of school records and educational advocacy. If the child receives special education services, the primary service FSU worker and/or supervisor encourages adoptive parent to become explains the educational surrogate-surrogacy parent process for child. (Refer to DCYF Policy 700.0000, Educational Surrogate Parent Referral.)
7. The Primary service FSU worker and/or supervisor informs prospective adoptive parent(s) to arrange for a medical exam for child if the child did not have such an exam prior to placement.
8. The Primary service FSU worker and/or supervisor refers the prospective e maintains ongoing discussion with pre-adoptive family adoptive parent to the Permanency Services Unit regarding child's eligibility for adoption subsidy and related issues.
9. The Primary service FSU worker and/or supervisor is responsible to engage in ongoing discussions with prospective adoptive family adoptive parent regarding openness in adoption. The primary service FSU worker informs the prospective adoptive family adoptive parent of a range of options available in open adoptions; the primary worker and prospective adoptive family adoptive parent with the understanding that safety and well-being are the paramount considerations that must be balanced with the child's need to maintain connections with birth

family and culture. (Refer to Procedure, Post Placement and Legal Finalization of Adoption, Section C - Open Adoption Agreement Privileges).

- D. Adoption ~~Disruption~~ refers to the unplanned termination of an adoptive placement prior to the legalization of the adoption or Dissolution.
1. Adoption disruption refers to the unplanned termination of an adoptive placement prior to the legalization of the adoption. Adoption dissolution refers to the ending of an adoption following legalization.
  - 1.2. Steps to minimize the possibility of adoption disruption include ~~the following~~:
    - a. Adequate preparation of child and family ~~for adoption is one of the best ways to minimize chances for disruption.~~
    - b. Regular phone contact and home visits by the primary service worker to the child and family during the pre-adoptive placement process is crucial.
    - c. Ensuring the availability and provision of appropriate services for child and family are essential to adoption stabilization.
  - 2.3. ~~Certain~~ circumstances may develop ~~in a pre-adoptive home~~ that ~~might~~ lead to a mutual reassessment of whether or not to continue with the pre-adoption placement (e.g. death of one of the spouses). A mutual decision to end pre-adoption placement is preferred, ~~if possible, unless abuse or neglect situation presents immediate risk to child.~~ In most cases, child remains with family until another plan is developed.
  - 3.4. Services are offered to child, prospective adoptive family adoptive parent and possibly worker to process feelings regarding disruption and ~~what~~ next steps ~~should be~~. Diligent efforts are made to secure new placement for child, ~~if appropriate.~~
  4. Following a disruption in an pre-adoption placement, ~~an formal or informal~~ assessment ~~will occur~~ to examine the causes ~~for the disruption.~~ ~~Some common reasons for disruptions include:~~
    - a. ~~There was a mismatch between the child and family~~
    - b. ~~The child or parents were not ready for the adoption experience~~
    - c. ~~The adoptive parent(s) lacks the capacity to be adoptive parent(s) to any child~~
  - 4.5. ~~The child is unable to function in an adoptive family at this time.~~
  - 5-6. Adoptive home ~~assessment study~~ is updated including modifying matching criteria and establishing a timeline for potential placement. A recommendation is made regarding continued approval of the adoptive home.
- E. ~~Adoption dissolution refers to the ending of an adoption following legalization. If a family reopens to the Department due to an adoption that has been dissolved, it is recommended that a meeting be convened with all pertinent parties to examine the causes for the dissolution (refer to Section D, relating to adoption disruption, above).~~

## Post-Placement and Legal Finalization of Adoption

### Procedure from Policy 700.0085: Adoption

- A. Supplemental Report - Disclosure of Information
1. Prospective aAdoptive parent(s) is provided with a supplemental written report containing any information, listed in the above Procedure, Preparation for Adoption, Section J, Pre-Adoption Report - Disclosure of Information that was unavailable before the child was placed for adoption but becomes reasonably available after the placement.
    - a. \_\_\_\_\_ A copy of the supplemental report with the prospective adoptive parent's(s)' signature is included in the hard copy record.
    - b. \_\_\_\_\_ Unless confidentiality has been waived, no information shall-is disclosed regarding the name or last known address of the biological relatives. Any report regarding the child may disclose the identity of providers of professional services to the child.
  2. Any information listed in the above Procedure, Preparation for Adoption, Section J, Pre-Adoption Report - Disclosure of Information that is provided to the adoptive parent may also be provided to an adoptee who is eighteen (18)-years of age or older.
- B. Legal Process
1. In the event that a child is not placed in a permanent resource within thirty (30) days from the date of the final TPR decree, RIGL15-7-7 requires the Family Court to review the status of the child.
    - a. The Department must-files a report with the Family Court documenting efforts made to find a n-prospective adoptive familyadoptive parent or other permanent living arrangement for the child, to place the child with a n-prospective adoptive familyadoptive parent, a fit and willing relative, a legal guardian, or another planned permanent living arrangement.
    - b. Recruitment efforts should include the use of state, regional and national adoption exchanges, including the use of the Internet when available and appropriate.
  2. The Family Court may grant an adoption petition after the child has resided in the home of the petitionerprospective adoptive parent(s) for a period of at least six (6)-months.
    - a. ~~The adoptive parent(s) may file after all parental rights have been terminated. The Adoptive parent(s) is expected to file within sixty (60) days after all parental rights have been terminated or in a planned direct consent adoption.~~
    - b. ~~If the child has not resided in the home for six (6) months, the adoptive parent(s) may not file a petition to adopt until the child has been in the home for six (6) months. The adoptive parent(s) is expected to file a petition to adopt within sixty (60) days after the six-month (6) period of residence.~~
    - e-a. \_\_\_\_\_ In the event the prospective adoptive parent(s) is not ready to file the adoption petition ~~within the sixty days~~, the primary serviceFSU worker ~~is responsible to~~ organizes a meeting with all ~~involved~~ parties, including the supervisor, clinical training specialist, Permanency Services Unit, child's therapist, prospective adoptive parent(s) and child, if appropriate, to identify issues and barriers to the finalization of the adoption. A reasonable time frame is developed that allows sufficient time for issues/barriers to be addressed, but also considers the child's need for timely permanency.

- ~~d.b.~~ If a time frame for finalization of the adoption cannot be agreed upon at the meeting, the matter is brought to the attention of the rRegional dDirector for review and a final determination.
- ~~e.c.~~ Any exception to the six-month (6)-residency requirement filing an adoption petition prior to the child living in the pre-adoptive for six months can ~~be only be~~ only by the rRegional dDirector. Final approval to waive the six-month (6)-residency requirement must be granted by the Family Court.
3. The primary service wWorker informs prospective adopting parent(s) that it is advisable to secure private legal counsel.
- a. The prospective adoptive parent may file an adoption petition after all parental rights are terminated.
- b. The prospective adoptive parent may file an adoption petition for the child once the child has lived in the home for six months.
- ~~4.c.~~ Attorney for the prospective adopting parent(s) ~~is responsible to complete the following:~~
- a.i. Prepares the adoption petition and returns it to the primary service worker for signature by rRegional dDirector;
- b.ii. Obtains documentation required by the Family Court, e.g. marriage, death or divorce certificates, ~~if applicable;~~
- c.iii. Completes any necessary ~~adoption~~ Family Court documents that must be filed with the petition.
- ~~5.4.~~ A request for an adoption subsidy must be completed as early as possible in the process and must be approved before the finalization of the adoption ~~or the family will not be able to obtain subsidy.~~ (Refer to [Policy 700.0090, Adoption Subsidy](#).)
- ~~6.5.~~ Upon the filing of an adoption petition, a report must be submitted to the Family Court by the Department within sixty ~~(60)~~ days regarding the suitability of the proposed adoptive home for the -minor child. The Family Court adoption home study report must contain all the information outlined in Procedure: Preparation for Adoption, Section E – Adoption Home Study.
- ~~7.6.~~ The Supervisor reviews the material and submits a cover memo ~~either~~ supporting or opposing the petition.
7. The Supervisor submits to the regional director or designee the:
- a. ~~C~~the cover memo,
- b. ~~A~~Adoption Petition,
- c. ~~P~~re-Adoption Report (DCYF #054, Adoption Profile Registration Form and the DCYF #054A, Adoption Profile Disclosure of Information Form and any attached reports), signed by both the primary service worker and the adoptive parent(s), and
- ~~8.d.~~ a copy of the Family Court adoption home study report (DCYF #053, DCYF Foster Care/Adoption Home Study and DCYF #053A, Family Court Adoption Home Study Report) ~~to the rRegional dDirector or designee.~~
- ~~9.8.~~ Regional dDirector or designee approves or denies the decision to proceed with petition:
- a. If rRegional dDirector approves the petition, the material is returned to the supervisor ~~and subsequently to the primary service worker.~~ The primary service wWorker ~~is responsible to~~ returns the petition to the attorney of the adopting parent ~~(s) for processing.~~
- b. If rRegional dDirector does not sign the petition, a conference is scheduled with the primary service worker and supervisor within five ~~(5)~~ working days to reevaluate the situation. If the decision is made by rRegional dDirector or designee not to consent to the petition, the primary service worker ~~shall notify~~ shall notify in writing the petitioner ~~(s) in writing and his/her~~ (their) attorney of the basis for this action and of

the Department's complaints and hearings ~~policy procedure.~~ (Refer to DCYF Policy 100.0055, Complaints and Hearings).

- ~~10-9.~~ The primary service worker files the Family Court adoption home study report with the Family Court and the attorney for the adopting parent(s) files the approved petition and documentation in Family Court.
- a. Family Court schedules a hearing date.
  - ~~b. Worker creates an adoption case in RICHIST after adoption finalization.~~
  - e.b. After adoption finalization, the primary service worker requests a copy of the adoption decree from that the adopting parent(s) or the attorney ~~send a copy of the adoption decree to the primary service worker.~~

C. Open Adoption Agreement Privileges

1. The Family Court may grant post adoption visitation, contact, and/or conveyance of information privileges to a birth parent who:
  - a. Has consented to an adoption or voluntarily terminated the parent-child relationship; or
  - b. Has had his ~~or~~ her parental rights involuntarily terminated and has properly filed a timely appeal (which is pending) and the child was not in a pre-adoptive home prior to the granting of the TPR petition ~~by the Family Court Court.~~
2. A Post Adoption Privileges-Agreement may be granted if the Family Court:
  - a. ~~Diff the court~~ Family Court determines it is in the best interest of the child being adopted, and
  - b. ~~Family Court Court~~ finds there is a significant emotional attachment between the child and the birth parent.
3. The degree of openness in the adoption is determined by mutual agreement based on a thoughtful, informed decision making process by the birth parent(s), the adoptive parent(s) and the child, ~~when appropriate~~. The nature, extent of openness and the content of the agreement is negotiated between the birth parent(s) and prospective adoptive parent(s) of the child ~~who is being adopted~~. When a Post Adoption Privileges-Agreement exists, it is the responsibility of all parties involved to make it a workable agreement that continues to be in the best interest of the child as he/she grows older.
4. Approval for the Post Adoption Privileges-Agreement must be obtained from the following:
  - a. Department or the licensed child placing agency sponsoring the child, and the child's ~~Family Court appointed special advocate~~ CASA attorney or the guardian ad litem;
  - b. Child, if over age twelve; ~~(12)~~
  - c. Family Court.
5. A Post Adoption Privileges-Agreement is not ~~completed only as~~ a means to avoid a Family Court termination of parental rights.
  - a. Relinquishments must be voluntary and unconditional.
  - b. At no time is a voluntary relinquishment "conditional" upon the willingness of an adoptive family adoptive parent to enter into a Post Adoption Privileges-Agreement.
  - c. Relinquishment and termination of parental rights are separate processes from adoption. Relinquishment and termination of parental rights resolve the child's legal status. Adoption builds a new family for a child and the post adoptive relationship between birth and adoptive families.
6. The ~~post~~ Post A-adoption privileges-Agreement ~~must~~ contains the following provisions:
  - a. An acknowledgement by the birth parents that the adoption is irrevocable, even if the adoptive parents does not abide by the Post Adoption Privileges Agreement.

- b. An acknowledgement by the adoptive parents that the agreement grants the birth parents the right to seek to enforce the Post-Adoption Agreement privileges set forth in the agreement.
  - 7. Modifications to the Post-Adoption Agreement may be sought in particular circumstances by either the adoptive parents or the birth parents.
- D. Post Adoption Services
- 1. All adoptive families ~~may be able to~~ contact the Permanency Support Services Unit for assistance with referrals for services in the community. Adoptive families eligible for subsidy may contact the Permanency Support Services Unit for questions related to the adoption subsidy. (Refer to DCYF Policy 700.0090, Adoption Subsidy).
  - 2. Availability of resources for ~~adoptive family~~ adoptive parent post adoption
    - a. Counseling services
    - b. ~~Educational advocacy~~—Adoptive families are provided with detailed information regarding educational advocacy and given the opportunity to participate in educational/surrogate parent training prior to finalization of the adoption.
  - 3. An adoptee who is eighteen (~~18~~) years of age or over who provides a written request to the ~~Department's~~ Permanency Support Services Unit may be provided with any information listed in the above Procedure, Preparation for Adoption, Section J, Pre-Adoption Report - Disclosure of Information that is provided to the adoptive parent.
  - 4. Other information relating to adoption records ~~must be~~ obtained from the Family Court in accordance with RIGL 15-7.2, Passive Voluntary Adoption Mutual Consent Registry Act.
- E. Establishment of Adoption Record ~~F~~ following Finalization of the Adoption
- 1. After an adoption has been finalized, an adoption case is created in RICHIST ~~that will be~~ in the adoptive parent(s)'s name. The child ~~will be~~ given a new person ID.
  - 2. Post adoption finalization, a hard copy record is also created in the adoptive parent's(~~s~~) name if a case record does not already exist in the name of the adoptive parent(~~s~~).
  - 3. If there is an existing case record in the name of the adoptive parent(~~s~~), the primary service worker ~~should~~ request the record from the Record Center and incorporates the child's adoption record into the existing case record.
  - 4. The adoption record ~~should~~ incorporate the information from the TPR record (refer to Procedure, Preparation for Adoption, Section B) including:
    - a. A new face sheet/intake summary;
    - b. Case activity notes beginning from the date that the parental rights of both parents were terminated. There ~~should be~~ no identifiable references to the biological parents;
    - c. Service plans created after the granting of the TPR;
    - d. The Pre-Adoption Report, which consists of the DCYF #054, Adoption Profile Registration Form and the DCYF #054A, Adoption Profile Disclosure of Information Form and may include ~~attached additional~~ reports;
    - e. Any assessments/reassessments created after the granting of the TPR;
    - f. All child specific reports/evaluations with any identifiable family information redacted;
    - g. All child specific medical/dental information and reports with any identifiable family information redacted;
    - h. All legal reports from the time the TPR was granted. A copy of the decree terminating parental rights ~~should be~~ included with the parents' names ~~redacted-redacted~~, as well as the last names of any siblings listed

on the decree. ~~However,~~ the TPR summary ~~should not be~~ not included.;

- i. A copy of the Post Adoption ~~Privileges~~-Agreement;
  - j. A copy of t~~t~~The child's original birth certificate ~~should be~~ is incorporated in the biological mother's record at the time of adoption.;
  - k. Any child specific forms or correspondence starting from the date that the TPR was granted, including a signed copy of the adoption subsidy, if applicable; ~~and~~.
  - l. Any Probation or Rhode Island Training School records ~~should be~~ are included in a separate section.
5. The adoption record ~~should be~~ is reviewed by the supervisor and forwarded to the Records Center.