Adoption

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

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Adoption is the preferred permanency option when it is not possible for a child to return to his or her family. The adoptive parent provides the child with the same legal rights and protection as a birth parent. 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.

Federal and state laws govern the Department of Children, Youth and Families (Department) practice in the area of adoption:

- The Adoption Assistance and Child Welfare Act of 1980 (PL 96-272)
- The Adoption and Safe Families Act (ASFA) (PL 105-89)
- The Multiethnic Placement Act of 1994 (PL 103-382)
- The Indian Child Welfare Act (ICWA) (PL 95-608)
- The Safe and Timely Interstate Placement of Foster Care Children Act of 2006 (PL 109-239)
- The Adam Walsh Child Protection and Safety Act of 2006 (PL 109-248)
- The Fostering Connections to Success and Increasing Adoptions Act of 2008 (PL 110-351)
- RIGL 15-7 provides the legal basis for the adoption of children
- RIGL 14-1-27
- RIGL 42-72-8

Permanency planning for a child begins at the time that a child enters out of home care. Decisions made early in the placement process have a long-term effect upon permanency and well-being outcomes for a child. Siblings are placed together in foster care unless it is contrary to the safety or well-being of any of the siblings. The assessment process provides an opportunity for staff to search and evaluate the appropriateness of kinship caregivers and to determine if a concurrent resource is indicated. In-state and out-of-state adoption resources are 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, Department staff work together toward accomplishing the goal in an organized and timely manner. The Department's primary service worker and/or supervisor facilitate the adoption process for a child awaiting a permanent family. The primary service worker registers the eligible child with the Permanency Services Unit. The Permanency Services Unit recruits and trains prospective foster and adoptive parents, prepares the adoption licensing home study and registers the child with the contracted adoption resource exchange. The Permanency Services Unit also provides consultation, education, 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 reviews the adoption subsidy prior to adoption finalization and re-certifies the subsidy bi-annually.

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 documents efforts to obtain a permanent family. The Department moves toward adoption as expeditiously as possible while continuing to safeguard the rights and address the needs of all parties. 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, Department staff informs the permanent resource family that, although petitions have been filed to terminate parental rights, there is a risk that the Family Court may not grant the TPR. To decrease the negative effect of multiple placements on a child, consideration is 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 Department's primary service worker and/or supervisor inform the foster parent of the TPR and determine whether the foster family is a permanent resource family for the adoption of the child. When 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 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 Department files, with prospective placements and resources. Caregivers have a right to receive personally identifiable, protected health 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 family for a child, the Department's primary service worker provides a full disclosure of the child to the family. The full disclosure process provides an opportunity for the Department to share with the prospective adoptive 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 are also shared.

Preparation of a child is essential to successful adoption. Ongoing counseling for a child that focuses on adoption issues, including preparation for adoption as a permanency option and for a specific prospective adoptive parent, is recommended for children as 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 is established that allows the child and the prospective 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 primary service worker and/or supervisor maintains consistent and meaningful contact with the child and the prospective adoptive parent to assess the child and family's adjustment and to address any issues of concern. The prospective 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 parent and the child. Adequate preparation of the child and the 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 prospective adoptive parent may file an adoption petition after all parental rights have been terminated and the child has resided in their home for six months. In the event that a permanent resource is not found for a child within thirty days from the date of the final TPR decree, RIGL15-

7-7 requires the Family Court to review the status of the child. The Department informs 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 when the birth parent 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.

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 Steps in the Adoption Process

1. Upon the filing of a Termination of Parental Rights (TPR) petition in Family Court, the primary service worker and/or supervisor develops a new case plan with the goal of adoption.
2. Upon identification of the need of a permanent family, or other adoption services, the Family Services Unit worker and/or supervisor registers all children with the Permanency Services Unit.
3. The primary service worker and/or supervisor complete the DCYF #054, Adoption Profile Registration Form and forward it to the Permanency Services Unit.
4. When an adoptive parent or other adoption services are needed, the Permanency Services Unit forwards the child's registration to the contracted adoption exchange agency, and notifies the primary service worker and supervisor when this is completed.
5. A clinical training specialist in the Permanency Services Unit meets with the primary service worker and/or supervisor for case consultation as needed.
    a. The Permanency Services Unit assists the primary service worker and/or supervisor in convening a consultative team comprised of representatives from the Permanency Services Unit, treatment providers working with the child and community providers with adoption expertise.
    b. This team may assist the primary service worker and/or supervisor with such issues as, selection of a pre-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.
7. If a child is in need of an adoptive home, the primary service worker and/or supervisor follows steps in Section E below.

B. Establishment of a New Case Record Following TPR

1. 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:
    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 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 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 parent if available and willing.

C. Responsibilities of the Permanency Service Unit
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. Adoption Home Study
1. RIGL 15-7-11 establishes the requirements for the adoption home study report that is submitted to the Family Court by the Department or the licensed child placement agency relative to the suitability of the proposed adoptive parent.
2. The Family Court adoption home study report is completed by the assigned primary service worker and/or supervisor and submitted to the Family Court in compliance with the provisions of RIGL 15-7-11. (Refer to 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 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 completes the DCYF #053 upon re-licensing the home. Licensing worker 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 completes the DCYF #053 prior to re-licensing if the foster parent is planning to adopt a foster child in the interim. The licensing worker ensures that all aspects of the current home study process are completed. The primary service worker and/or 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 primary service worker and/or supervisor submitting the adoption home study report to the Family Court addresses and includes in the report any additional information required.
c. The primary service worker and/or supervisor submitting the adoption home study report to the Family Court 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)).

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)).

iii. Adam Walsh Clearance (Refer to Section 671 (a)(20) of 42 USC).

iv. Information regarding the match between the prospective adoptive parent and the child, including attitudes and capabilities of prospective adoptive parent and the child's characteristics and background.

3. The adoption home study investigation includes:
   a. At least two home visits by the individual completing the home study. All household members are interviewed during the home study process by the 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 home visit takes place subsequent to the completion of the home study. In the case of a Department adoption, this visit is conducted by the primary service worker and/or supervisor who are preparing the Adoption Home Study Report for the Family Court.
4. The home study report submitted to the Family Court includes a summary of the agency's past and present contact with the prospective adoptive parent as well as:
   a. Results of criminal, Department Clearance of Agency Activity and Adam Walsh clearances.
   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, including a written self-assessment.
   e. Child care experience and parenting philosophy of the prospective adoptive parent.
   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 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.
   j. Reference letters from at least three individuals, two of whom are non-relatives. Previous references on file are acceptable.
   k. Information regarding the prospective adoptive parent'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 and the child, including attitudes and capabilities of prospective adoptive parent and the child's characteristics and background.

m. ~~Recommendation regarding the suitability of the prospective adoptive parent for adoption.~~

E. ~~Selection of an Adoptive Family for a Child with no Identified Adoption Resource~~

1. ~~Selection is based upon an assessment of the child and his/her needs. A family who can best meet the child's needs is selected as the prospective adoptive resource for the child. The 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 primary service worker and/or supervisor to review.~~
3. ~~The primary service worker and/or supervisor review potential home studies and select most appropriate match.~~
4. ~~The primary service worker and/or supervisor consult with the contracted adoption exchange agency, the Permanency Services Unit or convene a consultation team to assist in the review and selection of a prospective adoptive parent for a child. (Refer to Section A, 5 above).~~
5. ~~In most cases, the primary service worker and/or supervisor identifies one family as the most appropriate adoptive match for the child and schedules a full disclosure with that family. If the primary service worker and/or supervisor believes that meeting with more than one family is necessary to determine the best match, he/she and/or his/her supervisor informs the Permanency Services Unit.~~
   a. ~~The Permanency Services Unit facilitates the home visits between the primary service worker and/or supervisor and the families involved.~~
   b. ~~The families are fully informed of the preliminary nature of the meeting and clearly understand that more than one family is being considered by the primary service worker and/or supervisor.~~
   c. ~~This meeting does not take the place of a full disclosure. A full disclosure is scheduled when one family has been identified as the most appropriate match.~~
6. ~~If the family is interested, the primary service worker and/or supervisor prepare a full presentation of the child.~~
7. ~~When no potential home studies are available to match the child's needs, the primary service worker and/or supervisor, the Permanency Services Unit and the contracted adoption exchange agency develop a recruitment plan to meet the 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 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.~~

F. ~~Sibling Placements~~

1. ~~The Department 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.~~
2. ~~If siblings are separated at the time of initial placement in out-of-home care, ongoing consideration is given to placing them together.~~
3. ~~When siblings placed separately in foster care are free for adoption, a decision is made whether to place the children together or keep in separate homes where they have formed attachments. This decision is made on an individual basis.~~

Consultation with involved therapists and other parties is recommended as part of decision making.

4. Siblings placed separately require regular, on going contact. The Department makes reasonable efforts to facilitate visitation or ongoing contacts with siblings that cannot be placed together.

G. Full Disclosure to Prospective Adoptive Family

1. Participants in the full disclosure process may include the primary service worker and/or supervisor, the individual who completed the home study, the Permanency Services Unit worker, a staff person from the contracted adoption exchange agency and others whom the family requests. The child is not present at the full disclosure.
2. The location of the presentation is usually in the prospective 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 primary service 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 parent.
   b. The primary service worker and the Permanency Services Unit worker explain the full disclosure process to the prospective 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 Permanency Services Unit worker provides the prospective 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 is shared with the family, including written reports about the child and non-identifying information regarding the biological family. The prospective adoptive parent is required to sign the DCYF #054A Disclosure of Information form acknowledging receipt of information.
4. Following the initial presentation, the Permanency Services Unit contacts the prospective adoptive parent to determine if the family is interested in moving forward with permanency. This occurs within five days following the full disclosure.
5. The Permanency Services Unit notifies the primary service worker and/or supervisor of the prospective adoptive parent's decision.
6. If the prospective adoptive parent wishes to proceed and the 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 worker contacts the individuals beforehand to advise them that the prospective adoptive parent may be in contact. Only collateral contacts who have agreed to speak with the prospective adoptive parent are listed.
7. Primary service worker and/or supervisor and the Permanency Services Unit participate in meetings scheduled by prospective adoptive parent with those listed on Collateral Contacts sheet.
8. The time frame for completing the collateral contacts varies depending upon the availability of providers to meet with the prospective adoptive parent. Ongoing communication between all parties is essential.

9. Occasionally, the primary service worker and/or supervisor may have reservations following the full disclosure presentation about the suitability of the match between a family and a child. If the primary service worker has reservations regarding the match:
   a. The primary service worker discusses concerns with supervisor regarding the appropriateness of the match.
   b. If the supervisor agrees with the primary service worker's assessment, the supervisor or primary service worker contacts the Permanency Services Unit within five days of the full disclosure presentation to outline concerns regarding the match.
   c. If the primary service worker and/or supervisor decide not to move forward with the match, the Permanency Services Unit makes the initial call to the family to advise them of the decision.
   d. The primary service worker or supervisor 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.
   e. The primary service worker or Permanency Services Unit worker ensures that the family returns any written information regarding the child that was shared during the full disclosure presentation process.

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 full disclosure process), the primary service worker presents the prospective adoptive parent 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 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 are disclosed in writing to the prospective adoptive parent;
   c. If the child has been tested for HIV, and the agency is aware of the results, those results are disclosed in writing to the prospective adoptive parent;
   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 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 considers necessary and appropriate to serve the child's best interests.~~

2. ~~The report provided to the prospective adoptive parent is signed and dated by the primary service worker who prepared the information and by the prospective adoptive parent who is receiving the information.~~

a. ~~A copy of the report with the prospective adoptive parent's signature is included in the hard copy record.~~

b. ~~Unless confidentiality has been waived, information does not include the name or last known address of 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 is advised that the documents are not to be copied and that the information provided 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 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.~~

6. ~~If information listed in Paragraph I was not available at the time the pre-adoption report was provided to the prospective adoptive parent but becomes available prior to the adoption proceeding, the primary service worker provides the prospective adoptive parent a supplemental written report containing the required information. The supplemental report is signed and dated by the primary service worker and the prospective adoptive parent. A signed copy is kept in the hard copy file.~~

7. ~~The Family Court may request that a parent in a TPR proceeding provide the required information.~~

8. ~~The above procedures do not prohibit the voluntary exchange of identifying information between mutually consenting biological parent and adoptive parent.~~

Adoption Placement

Procedure from Policy 700.0085: Adoption

A. Preparation of Child for Adoption

1. The primary service worker and/or supervisor 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 addresses and provides:
   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 information about a prospective adoptive parent through techniques like reviewing a family's welcome book;
   e. A plan for pre-placement visitation and moving in with an adoptive parent;
   f. 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 parent.
2. The involvement of the child in planning for adoption is recommended. The primary service worker and/or supervisor provide the child with the opportunity to express choices consistent with age and developmental level.

B. Pre-placement Visitation

1. The primary service worker ensures that child is presented with specific information about adoptive parent being considered, including the sharing of a family's welcome book, if available, before the initial visit with prospective adoptive parent. This presentation occurs preferably in a therapeutic environment.
2. The primary service worker arranges and is present during a brief initial introduction of the child to the prospective adoptive parent in a child-oriented environment.
3. A team approach to the establishment of the visitation plan that involves the therapist, current caregiver, prospective adoptive parent and other involved parties, such as, Court Appointed Special Advocates (CASA), is recommended.
4. Pre-placement visitation
   a. Primary service worker develops a visitation schedule with the prospective adoptive parent and the child's current caregivers. The visitation schedule is shared with all parties.
   b. Child 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 is supported by all parties. While a child may experience behavioral and emotional adjustments during the pre-placement visitation stage, it is not appropriate to withhold visitation from the child.
   e. Assessment of the visitation by all parties, including the child's therapist, is ongoing. A decision to modify the visitation schedule is made in collaboration with the adoptive parent, the child's therapist, the current caregiver and the child, if appropriate.

5. The primary service worker encourages current caregivers to assist with the transition because they possess valuable information regarding the child.
6. The primary service worker transitions 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 parent and providers to address services needed to maintain and strengthen the placement. The prospective adoptive parent 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 worker maintains, at a minimum, monthly visits with family. (Refer to Policy 700.0165, Worker/Client Contact). The primary service worker, in consultation with his/her supervisor, determines if more frequent home visits to the child and prospective adoptive parent are indicated in the early stages of the adoptive placement.
3. The primary service worker provides prospective adoptive parent information about adoption support services, including appropriate crisis resources.
4. The primary service worker submits for signature to the prospective adoptive parent 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 are provided.
6. The primary service worker and/or supervisor assist family with school placement issues, including transfer of school records and educational advocacy. If the child receives special education services, the primary service worker and/or supervisor explains the educational surrogacy parent process for child. (Refer to DCYF Policy 700.0000, Educational Surrogate Parent Referral.
7. The primary service worker and/or supervisor informs prospective adoptive parent to arrange for a medical exam for child if the child did not have such an exam prior to placement.
8. The primary service worker and/or supervisor refers prospective adoptive parent to the Permanency Services Unit regarding child's eligibility for adoption subsidy and related issues.
9. The primary service worker and/or supervisor engage in ongoing discussions with prospective adoptive parent regarding openness in adoption. The primary service worker informs the prospective adoptive parent of a range of options available in open adoptions; the primary worker and prospective adoptive parent understand that safety and well-being are the paramount considerations that are 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).

D. Adoption Disruption 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.
2. Steps to minimize the possibility of adoption disruption include:
   a. Adequate preparation of child and family.
   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.~~

3. ~~Circumstances may develop that 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. In most cases, child remains with family until another plan is developed.~~

4. ~~Services are offered to child, prospective adoptive parent and possibly worker to process feelings regarding disruption and next steps. Diligent efforts are made to secure new placement for child.~~

5. ~~Following a disruption in an pre-adoption placement, an assessment occurs to examine the causes.~~

6. ~~Adoptive home 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.~~

Post-Placement and Legal Finalization of Adoption

Procedure from Policy 700.0085: Adoption

A. Supplemental Report - Disclosure of Information

1. Prospective adoptive parent 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 available after the placement.
   a. A copy of the supplemental report with the prospective adoptive parent's signature is included in the hard copy record.
   b. Unless confidentiality has been waived, no information 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 years of age or older.

B. Legal Process

1. In the event that a child is not placed in a permanent resource within thirty 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 files a report with the Family Court documenting efforts made to find a prospective adoptive parent or other permanent living arrangement for the child, to place the child with a prospective adoptive parent, a fit and willing relative, a legal guardian, or another planned permanent living arrangement.
   b. Recruitment efforts include the use of state, regional and national adoption exchanges, including the use of the internet when available and appropriate.
   c. The Department will not deny or delay the placement of a child for adoption when an approved family is available outside of the jurisdiction with responsibility for handling the case of the child.
2. The Family Court may grant an adoption petition after the child has resided in the home of the prospective adoptive parent for a period of at least six months.
   a. In the event the prospective adoptive parent is not ready to file the adoption petition, the primary service worker organizes a meeting with all parties, including the supervisor, Permanency Services Unit, child's therapist, prospective adoptive parent 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.
   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 regional director for review and a final determination.
   c. Any exception to the filing an adoption petition prior to the child living in the pre-adoptive for six months can only be allowed by the regional director. Final approval to waive the six month residency requirement is granted by the Family Court.

3. The primary service worker informs prospective adopting parent 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.
    c. Attorney for the prospective adopting parent:
        i. Prepares the adoption petition and returns it to the primary service worker for signature by regional director;
        ii. Obtains documentation required by the Family Court, e.g. marriage, death or divorce certificates;
        iii. Completes any necessary Family Court documents that are filed with the petition.
4. A request for an adoption subsidy is completed as early as possible in the process and is approved before the finalization of the adoption. (Refer to Policy 700.0090, Adoption Subsidy.)
5. Upon the filing of an adoption petition, a report is submitted to the Family Court by the Department within sixty days regarding the suitability of the proposed adoptive home for the child. The Family Court adoption home study report contains all the information outlined in Procedure: Preparation for Adoption, Section E – Adoption Home Study.
6. The Supervisor reviews the material and submits a cover memo supporting or opposing the petition.
7. The Supervisor submits to the regional director or designee the:
    a. Cover memo,
    b. Adoption Petition,
    c. Pre-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, and
    d. Family Court adoption home study report (DCYF #053, DCYF Foster Care/Adoption Home Study and DCYF #053A, Family Court Adoption Home Study Report).
8. Regional director or designee approves or denies the decision to proceed with petition:
    a. If regional director approves the petition, the material is returned to the supervisor/primary service worker. The primary service worker returns the petition to the attorney of the adopting parent.
    b. If regional director does not sign the petition, a conference is scheduled with the primary service worker and supervisor within five working days to reevaluate the situation. If the decision is made by regional director or designee not to consent to the petition, the primary service worker notifies the petitioner in writing and the attorney of the basis for this action and of the Department's complaints and hearings policy. (Refer to DCYF Policy 100.0055, Complaints and Hearings).
9. The primary service worker files the Family Court adoption home study report with the Family Court and the attorney for the adopting parent files the approved petition and documentation in Family Court.
    a. Family Court schedules a hearing date.
    b. After adoption finalization, the primary service worker requests a copy of the adoption decree from the adopting parent or the attorney.

C. ~~Open Adoption Agreement~~

1. ~~The Family Court may grant post adoption visitation, contact and/or conveyance of information to a birth parent who:~~
   a. ~~Has consented to an adoption or voluntarily terminated the parent-child relationship or~~
   b. ~~Has had his/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.~~
2. ~~A Post Adoption Agreement may be granted if the Family Court:~~
   a. ~~Determines it is in the best interest of the child and~~
   b. ~~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, the adoptive parent and the child. The nature, extent of openness and the content of the agreement is negotiated between the birth parent and prospective parent of the child. When a Post Adoption 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 Agreement is obtained from the:~~
   a. ~~Department or the licensed child placing agency sponsoring the child, and the child's CASA attorney or the guardian ad litem;~~
   b. ~~Child, if over age twelve;~~
   c. ~~Family Court.~~
5. ~~A Post Adoption Agreement is not a means to avoid a Family Court termination of parental rights.~~
   a. ~~Relinquishments are voluntary and unconditional.~~
   b. ~~At no time is a voluntary relinquishment "conditional" upon the willingness of an adoptive parent to enter into a Post Adoption 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 Adoption Agreement contains:~~
   a. ~~An acknowledgement by the birth parents that the adoption is irrevocable, even if the adoptive parent does not abide by the Post Adoption Agreement.~~
   b. ~~An acknowledgement by the adoptive parent that the agreement grants the birth parents the right to seek to enforce the Post Adoption Agreement.~~
7. ~~Modifications to the Post Adoption Agreement may be sought in particular circumstances by either the adoptive parent or the birth parents.~~

D. ~~Post Adoption Services~~

1. ~~All adoptive families may contact the Permanency Services Unit for assistance with referrals for services in the community. Adoptive families eligible for subsidy may contact the Permanency Services Unit for questions related to the adoption subsidy. (Refer to DCYF Policy 700.0090, Adoption Subsidy).~~
2. ~~Availability of resources for adoptive parent post adoption~~

a. Counseling services
b. 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 years of age or over who provides a written request to the Permanency Services Unit may be provided with any information listed in the above Procedure, Preparation for Adoption, Section I, Pre-Adoption Report - Disclosure of Information that is provided to the adoptive parent.

4. Other information relating to adoption records are obtained from the Family Court in accordance with RIGL 15-7.2, Passive Voluntary Adoption Mutual Consent Registry Act.

E. Establishment of Adoption Record Following Finalization of the Adoption

1. After an adoption has been finalized, an adoption case is created in RICHIST in the adoptive parent's name. The child is given a new person ID.

2. Post adoption finalization, a hard copy record is also created in the adoptive parent's name if a case record does not already exist in the name of the adoptive parent.

3. If there is an existing case record in the name of the adoptive parent, the primary service worker requests the record from the Record Center and incorporates the child's adoption record into the existing case record.

4. The adoption record incorporates 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 are 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 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 is included with the parents' names redacted, as well as the last names of any siblings listed on the decree. The TPR summary is not included;
i. A copy of the Post Adoption Agreement;
j. A copy of the child's original birth certificate 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 are included in a separate section.

5. ~~The adoption record is reviewed by the supervisor and forwarded to the Records Center.~~