

Lois A. Day, Administrator
Office of Safety & Permanency for Children

Authorized Signature

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Topic: Adoptions

Subject: Adoption Rule Changes Procedure and Forms

Applies to (check all that apply):

- | | | | |
|-------------------------------------|-------------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | All DHS employees | <input type="checkbox"/> | County Mental Health Directors |
| <input type="checkbox"/> | Area Agencies on Aging | <input type="checkbox"/> | Health Services |
| <input checked="" type="checkbox"/> | Children, Adults and Families | <input type="checkbox"/> | Seniors and People with Disabilities |
| <input type="checkbox"/> | County DD Program Managers | <input type="checkbox"/> | Other (please specify): |

Message:

WHAT YOU NEED TO KNOW IN ORDER TO PROCEED WITH PERMANENCY AND ADOPTION DECISIONS IN ACCORDANCE WITH THE RULE CHANGES

As of July 1, 2010 several new temporary rules are in effect requiring immediate implementation regarding permanency and adoption planning procedures and processes. The Procedure Manual will be updated to reflect these changes.

These are temporary policies and ongoing input from staff and community partners regarding the temporary policies, forms and processes is being requested and appreciated. The Adoption Program has set up an email account to receive feedback regarding these changes and will be distributing information through a frequently asked questions format.

The following information is being distributed to provide an overview of the substantive changes that are included in the rules, and guidance on preparation for these changes. Please consult the rules for further information regarding these changes. Further questions can also be directed to the Adoption Program.

Foster Parents as Current Caretaker (Referenced in I-G.1.1, I-G.1.3)

- The timeline for considering foster parents as Current Caretakers has been extended from 6 month to 12 months.

- The Current Caretaker process applies only to non-related foster parents. Relatives and sibling placement resource families do not need to request consideration under this process.
- Foster parents may not be considered as Current Caretakers if there is a relative or sibling resource being considered or needing considered. The diligent search for relatives and to place with siblings needs to be reviewed by the worker and supervisor prior to committee scheduling.
- When a foster parent requests consideration to be a Current Caretaker, caseworkers must assess the child's needs and foster parent's ability to meet the current and life long needs of the child. The caseworker must consult with the child's team, their supervisor and the certifier, and make a decision whether or not to proceed with the request.
- Approval by the caseworker to proceed with the request will lead to consideration at a permanency committee which will make a recommendation to the Child Welfare Program Manager who will make the decision. A caseworker can sign off on the final decision at the conclusion of the approved adoption home study or home study update if the foster parent is considered alone. If the foster parent is being considered with others, the final decision will need to proceed to an adoption committee. See below for further information on permanency and adoption committees.
- Decision by a caseworker to not proceed to a permanency committee can be reviewed by the District Manager.

How to prepare for Current Caretaker consideration:

Review pending Current Caretaker requests and pending committees to ensure that:

- The foster parents are eligible under the new rule for this request,
- The required caseworker and supervisor actions have occurred and been documented prior to scheduling the permanency or adoption committee,
- The appropriate people have been involved in the decision making, and
- The appropriate committee is being used when necessary.

Included in the temporary rules is a bridge rule intended to ensure we are allowing as appropriate consideration of foster parent's who were already approved or were in the process of approval as Current Caretaker at the time of the rule change.

Implementation of Permanency Committees (Referenced in I-F.6 I-G.1.1, I-G.1.2)

- As of July 1, 2010 permanency committees are being implemented as the

consistent consultation committee to review cases needing recommendations regarding permanency planning.

- Permanency committees will provide guidance regarding sibling planning, requests for consideration of Current Caretaker, Emotionally Significant Relationship requests, and other permanency recommendations.
- Permanency committee membership is clearly outlined in rule to achieve consistency and expertise in planning.
- The permanency committees will include a facilitator (formerly known as the committee chair) who is a member of the committee. This change reflects the value of this Department in ensuring a fair, respectful, and consistent process as the Department moves to be more inclusive in planning and decision making.
- The child's team is required to be invited to permanency committees. Invitees may present information, and are excused following the child presentation.
- The permanency committee makes a recommendation to the Child Welfare Program Manager (CWPM) or designee.
- The CWPM or designee responsible for making the decision on behalf of the Department may attend the committee meeting, listen and ask for clarifying or additional information, but must not be a participating member of the committee.
- The CWPM or designee must issue a decision and notify the caseworker within three business days.
- The child's caseworker notifies individuals required to receive the notice within one (1) business day.
- The District Manager may review the decision. The District Manager decision is the final Department decision.
- Further information regarding the timelines and notification requirements is included on the attached Permanency Committee Chart.

How to prepare for these changes:

Review pending permanency committees to ensure the appropriate people have been invited, are included as committee members, and that in addition to the committee recommendation, a Child Welfare Program Manager (CWPM) or designee makes the final decision.

Recommendations regarding the Current Caretaker, consideration should be documented on the new draft Current Caretaker Eligibility Report form 251 which is attached. Permanency committee recommendations, other than recommendations regarding Current Caretakers, can be documented on the attached draft Permanency Committee form. At this time, local permanency staffing forms can be used in place of the draft form. Attached is a form for the CWPM or designee to complete after receiving the recommendations of the committee. The CWPM/designee documents his or her decision on the form and attaches the decision form to the recommendation form.

Adoption Selection Decisions Changes (Referenced in I-G.1.5)

- Adoption selection decisions may be made by one of the three ways described below:
 1. Child's caseworker selects the adoptive family. This occurs following the caseworker narrowing down the identified families to those appropriate for final consideration and after consultation with the supervisor. The caseworker must also solicit input from the child's team. An adoption committee is not part of the process nor do members of the child's team vote.
 2. Adoption Decision Specialist makes the selection after attending a locally scheduled adoption committee and receiving the committee recommendation.
 3. Adoption Decision Specialist makes the selection after attending a centrally scheduled adoption committee and receiving the committee recommendation.
- The appropriate authority for determining the decision is identified in the attached chart titled The Adoption Selection Process.
- The caseworker and local office have the option of requesting that the decision to a higher level of decision making when more consultation and expertise is needed.
- Adoption committees will make recommendations to an Adoption Decision Specialist (ADS). This is a new role that has not previously existed within DHS. The identified ADS for each committee:
 - Has a high level of understanding of special needs and adoption issues.
 - Is approved by the Adoptions Program.

- Is not a member of the adoption committee?
- Is a DHS staff member.
- Receives the same materials that the adoption committee receives.
- Is present at the full adoption committee.
- Is limited to asking questions to clarify or seek more information prior to deliberations. They will not participate in deliberation of the recommendation.
- Makes the adoption placement selection after receiving the committee's recommendations.
- Completes written documentation supporting the adoption selection decision.
- Notifies the caseworker about the decision.

How to prepare for these changes:

Review the attached chart to determine at which level the Adoption Selection needs to occur. If the selection is to occur at a local committee, ensure the ADS will be attending in addition to the committee. Central Office has compiled a temporary and abbreviated list of ADS names. The names are being distributed to Child Welfare Program Managers and supervisors, and new names will be added to a later ADS lists.

New forms are being developed and will be available through the forms directory when they are final. You will find attached draft versions of the Adoption Selection Report 250 and the Caseworker Adoption Selection Report. Feedback about the draft forms is welcome. If you have questions about which form to use for which process, please contact Pam Stanley, Francine Florendo, Gail Schelle, or Carla Crane and describe the type of decision being considered

Adoption Committee Invitations and Membership Requirements

- For locally or centrally scheduled adoption committees, DHS must invite the following:
 - child's attorney
 - CASA
 - tribal representative (if an Indian child)
 - Refugee Child Welfare Advisory Committee (RCWAC) representative (if a refugee child).
 - other individuals who have valuable information as appropriate to the case, such as child's therapist or teacher.
- Committee membership has been expanded. The caseworker is now included as a member of the adoption committee.
- In addition to caseworkers, the community partners listed in bullets 1 through 4

have the new opportunity to notify DHS of their intention to attend the committee in the role of a committee member. If they are not interested in attending as a member, they may attend to present child information and may remain throughout the committee.

- The chair will be referred to as the facilitator. They will be selected to facilitate the presentations and deliberations, and guide the group toward making a recommendation.
- All members of the expanded committee will receive committee materials for review. Members will be responsible for making a recommendation to the ADS about the family or families that are an appropriate match for the child(ren). The committee can also recommend that one or more families presented are not appropriate to adopt the child.

How to prepare for these changes:

Refer to the attached Adoption Selection Timelines chart for further information regarding notification requirement to the child's attorney, CASA, tribal representative. Refer to the information below regarding release of information requirements that must also be on file prior to sending committee materials. Invitees should be notified that if they plan to attend as a member, they must notify DHS within 10 days prior to the scheduled committee to allow DHS adequate time to prepare and send committee materials. If the committee is a central office committee, please have them notify Pam Stanley of their intention to attend as a member. Pam Stanley's phone is 503-945-7013 and her email is Pam.Stanley@state.or.us. To facilitate the training, the program office will hold on scheduling any Central Committees, other than emergent situations, until the end of July.

Information on Releases of Information for Family Information (References I.A.3.3, I-G.1.3, I-G.1.5)

DHS will need releases of information from potential adoptive families. This is now required as part of the application process and appropriate releases must be on file prior to sending out committee materials or sharing unredacted adoption home studies with the child's attorney, CASA and tribe. Home studies of families selected to go to committee may be shared with a child's attorneys, CASA, tribal representatives, and Refugee Child Welfare Advisory Committee (RCWAC) representatives. They may be shared through the committee materials packet, or provided upon request when an attorney, CASA, tribal representative, or RWAC representative declines committee participation but requests to receive a copy of the home study.

How to prepare for these changes:

The Adoption Program is researching the best way to address the need for releases and will give further direction as it becomes available. Currently, adoption workers should request adoptive families to sign a release of information as follows:

1. A release of information listing the categories of individuals named below in order to provide information for the purposes of adoption selection:
 - attorneys representing a child in DHS custody
 - CASA
 - tribal representatives
 - Refugee Child Welfare Advisory Council representatives
 - community partners serving on adoption committee

2. A release of information listing the court in order to provide home study information for the purpose of adoption finalization.

Attachments:

Adoption Committee Timeline

http://www.dhs.state.or.us/policy/childwelfare/im/2010/cw_im_10_016att1.pdf

The Adoption Selection Process

http://www.dhs.state.or.us/policy/childwelfare/im/2010/cw_im_10_016att2.pdf

Permanency Committee Chart

http://www.dhs.state.or.us/policy/childwelfare/im/2010/cw_im_10_016att3.pdf

Draft Adoption Recommendation and Selection Report CF 250

http://www.dhs.state.or.us/policy/childwelfare/im/2010/cw_im_10_016att4.pdf

Draft Caseworker Adoption Selection Report CF 255

http://www.dhs.state.or.us/policy/childwelfare/im/2010/cw_im_10_016att5.pdf

Draft CWPM Approval Form

http://www.dhs.state.or.us/policy/childwelfare/im/2010/cw_im_10_016att6.pdf

Draft Current Caretaker Eligibility Report CF 251

http://www.dhs.state.or.us/policy/childwelfare/im/2010/cw_im_10_016att7.pdf

Draft Permanency Committee Recommendations Form

http://www.dhs.state.or.us/policy/childwelfare/im/2010/cw_im_10_016att8.pdf

If you have any questions about this information, contact:

Contact(s):	Beth Englander (503)947-5358 Gail Schelle (503)945-5997 Francine Florendo (503)945-6877 Carla Crane (503)945-5998		
Phone:	see above	Fax:	(503)945-6633
E-mail:	beth.englisher@state.or.us gail.schelle@state.or.us francine.florendo@state.or.us carla.crane@state.or.us		