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Office of Safety & Permanency for Children

Authorized Signature

Number: CW-IM-10-021

Issue Date: 11/15/2010

Topic: Adoptions

Subject: Voluntary Placement of Newborns with Private Adoption Agencies

Applies to (check all that apply):

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| <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 type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Other (please specify): Child Welfare |

Message: This IM is intended to clarify practice regarding voluntary placement of newborns directly with licensed, private adoption agencies by birth parents when there are known protective services concerns for the infant. This information will address roles and responsibilities of Department Child Protective Services (CPS) caseworkers and private adoption agency staff in the decision making processes that surround voluntary adoption, as well as the family dynamics and circumstances necessary in applicable cases.

The process is intended to effectively and efficiently assist birth parents managing their child's safety and planning for their child's permanency through adoption and, in doing so, promote openness in adoptions and prevent the conflict and stress that accompanies case conclusions other than family preservation or reunification. Allowing voluntary placement of newborns for private adoption consequently empowers parents to make decisions for their baby and is in the best interest of the child.

Department Child Protective Services caseworkers will be expected comply with all policy expectations of I-AB.4 CPS Assessment, including ICWA requirements. In addition, caseworkers shall take the following actions:

- Determine Case Eligibility:
 1. Birth parents who have legal custody of a child 18 months of age or younger and one of the following applies:
 - a) The birth parent has begun the adoption process with a private, licensed adoption agency prior to being contacted by CPS and expresses a desire

to CPS to continue the adoption process.

- b) The birth parent, after being contacted by CPS, expresses a desire to explore adoption for their child and the least intrusive plan to manage the child's safety would require out of home placement.

2. When safety can be managed through placement pending finalization of the adoption.
3. Prior to establishment of wardship.
4. Approval required from the local child welfare program manager.

- Obtain Releases of Information: When a birth parent informs the Department that they have begun the adoption process, would like to begin the adoption process or would like information about the adoption process, the Department agrees to obtain releases of information.

- Immediately contact the identified adoption agency.

- Assure child safety in the absence of filing a petition and prior to establishing wardship. ***When filing a petition is necessary to assure child safety, a petition will be filed.***

- Arrange for the birth parents to sign consents releasing temporary custody to the adoption agency, if this has not been done.

- Conclude child welfare legal involvement when birth parents:

- Sign consents giving temporary custody to the adoption agency and the agency makes the private placement. In these cases, there must be a previously identified adoptive family.
- Allow the newborn to remain hospitalized or be placed temporarily with relatives, kith or kin, while the birth parents make arrangements with the adoption agency to place the child for adoption. In these cases, there must be no dependency petition.

Generally, CPS can expect private adoption agencies to do the following:

- Provide information to the Department and the birth parents about the process for the specific family.
- Arrange for open post-adoptive relationships between the mother, father and their child appropriate.
- Notify the Department when a placement disrupts.

If you have any questions about this information, contact:

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