

	<p align="center">STATE OFFICE for SERVICES to CHILDREN and FAMILIES</p> <p align="center">CLIENT SERVICES MANUAL I ISSUED BY: Program Operations EFFECTIVE DATE: January 2, 1996</p>	<p>NUMBER: I-F.5</p> <p>SECTION: F. Pre-Adoption Services</p> <p>SUBSECTION:</p>
<p>SUBJECT: 5. Legal Risk Placements</p>		

(1) The child is a ward of the court, is in substitute care, and the case has been screened and approved for permanent planning.

(2) All parents and relatives have been considered and have either been determined not to be a realistic permanent plan for the child, or one relative who meets the home requirements of these rules has been selected as the Legal Risk Placement.

(3) The child's legal status has been assessed by the permanent planning consultant, and it has been determined that a plan to free the child for adoption is legally feasible.

(4) The Central Office Adoption Unit has determined that the child is adoptable and an approved adoptive home has been secured.

(5) The Central Office Adoption Unit has reviewed and approved the plan and has officially designated the placement as a Legal Risk Placement.

Statutory Authority: HB2004

Stats. Implemented: HB2004

LEGAL RISK PLACEMENT REQUEST

413-110-030 The branch office responsible for case planning for the child must develop a written request for a Legal Risk Placement and submit it to SOSCF Central Office Adoption Unit. The request must clearly identify the child's current legal status and the plan to free the child for adoption, and provide information about the child and the child's family that is required by adoption procedures unless the information has already been submitted.

Statutory Authority: HB2004

Stats. Implemented: HB2004

HOME REQUIREMENTS

413-110-040 (1) The selected home must be studied and approved as an adoptive home according to adoption rules and procedures. The home must also be certified as a foster home according to the rules for certification of foster homes if the potential adoptive parents are unrelated to the child.

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(2) Adoptive families considered for a Legal Risk Placement must be able to accept the risk of having the child removed from the home and/or be willing to continue to provide care of the child without adoption if the child cannot be completely freed for adoption. A written agreement must be completed by the potential adoptive parents acknowledging an understanding of the uncertainty of the Legal Risk Placement before official designation of such a placement will be granted.

Statutory Authority: HB2004

Stats. Implemented: HB2004

EFFECT ON A RELEASE AND SURRENDER

413-110-050 A Legal Risk Placement shall be considered a placement for the "purpose of adoption" in accordance with ORS 418.270, subsection (4), which specifies when a release and surrender given by a parent or guardian shall be considered irrevocable. These rules shall apply to any release and surrender accepted prior to, concurrent with or subsequent to the Legal Risk Placement.

Statutory Authority: HB2004

Stats. Implemented: HB2004

TERMINATION OF LEGAL RISK PLACEMENT STATUS

413-110-060 When the child is legally free to be adopted, the child's placement status will be changed from Legal Risk Placement to Adoptive Placement.

Statutory Authority: HB2004

Stats. Implemented: HB2004