

# Section 7. Selecting the adoptive family

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## A. Introduction to adoption selection decision making

This section describes for caseworkers and adoption/certification workers the department's processes to make decisions to select the adoptive family for a child or sibling group in the custody of DHS. The department must make a formal decision to select the adoptive family for a child or sibling group.

The goal of the adoption selection processes is to select an adoptive family likely to meet the child's long-term needs for permanency, attachment, safety and well-being. Because this is a complex and life-changing decision for the child, the department seeks input from specific individuals who know the child and invites them to be involved in the process. DHS selection procedures are intended to maximize the availability of information to those involved, use professional expertise, minimize or omit conflict of interest, and maintain the priority of making decisions based on the best interest of the child or children. Selection procedures also protect the confidentiality of the prospective adoptive families under consideration.

For more about the adoption selection process, refer to I-G.1.5, Adoption Placement Selection at this [link](#).

## B. Identifying the appropriate adoption selection process

### Procedure

- Before proceeding with an adoption placement selection process, the caseworker must follow the provisions of Child Welfare Policy I-G.1.2, Identification and Consideration of Potential Adoptive Resources. OAR 413-120-0700 to 413-120-0760 to identify the family or families to be considered for an adoption selection process. Find the OARs at this [link](#).
- Consult with the supervisor to refer the child and the identified prospective adoptive family or families to the appropriate adoption selection process.

There are three types of adoption selection processes:

1. Caseworker selection after considering input from the child's team and following consultation with the supervisor.
2. Local office adoption committee and selection by adoption decision specialist.
3. Central Office adoption committee and selection by adoption decision specialist.

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An adoption selection chart is included in the Appendix of this section.

For both the local and Central Office adoption committees, the committee members make recommendations on the adoptive resource and the adoption decision specialist (ADS) makes the adoption placement selection. The ADS is appointed by the Central Office Child Permanency Program manager. The ADS must have significant expertise in the areas of adoption and permanency issues, experience with adoption placement planning, be knowledgeable of the importance of lifelong family and cultural connections, and have no personal or current professional relationship to the child or children or the potential adoptive resources being considered. The ADS attends the adoption committee meeting and may ask clarifying questions, but does not participate in the deliberations or recommendations of the adoption committee.

Include in the discussion with the supervisor the types of families who are being considered. Relevant family characteristic for the discussion include:

1. Relatives and how they are related.
2. Current caretakers (the family's child-specific adoption home study or update must be complete and approved for adoption).
3. Recruited general applicant families who have no connection to the child.
4. Family is within the ICWA placement preferences.
5. The child has a significant relationship with a general applicant family and it is in the child's best interests to consider the family alone per Permanency Committee consideration of a resource with an existing relationship (*nonrelative and noncurrent caretaker*) per policy I-G.1.2 OAR 413-120-0750 (5)(b).
6. Nonrelative foster parents who are not current caretakers being considered with other recruited general applicant families.
7. Family resides outside the United States.
8. There is a potential for a conflict of interest, such as a Child Welfare employee.

Also include in the discussion the results of the diligent search for relatives.

- In a case with high complexities or dynamics, the caseworker, following consultation with the supervisor, may request that rather than a case worker selection, the adoption placement selection be made by an ADS, following an adoption committee recommendation. The request must be approved by the Child Welfare Program manager or designee for the use of a local adoption committee when policy indicates a caseworker selection process. The caseworker and supervisor may request the adoption placement selection be made by an ADS following a Central Office adoption committee recommendation. The request must be approved by the Central Office Child Permanency Program manager, assistant program manager or designee for the use of a Central Office adoption committee when the policy indicates use of a local adoption committee.

### Children for whom the Indian Child Welfare Act (ICWA) applies: Additional considerations in selection

#### Procedure

For children for whom the provisions of the Indian Child Welfare Act (ICWA) apply, the case worker must:

- Consult I-E.2.1 Placement of Indian Children, 413-070-0220 at this [link](#) and also Chapter 5, Section 5 “Identification of a child’s potential adoptive resources for an Indian child or an Indian Child as part of a sibling group being considered together.” Follow the ICWA placement order of preference. ICWA compels the department to select a family with an approved home study who fits this order of preference unless there is a tribal resolution or good cause court order.
- Refer the case to the appropriate selection process. If DHS is considering only one family in the ICWA order of preference, the agency requires there be a formal selection event documented on the correct form.

#### Cases for adoption selection process by caseworker

Cases appropriate for the adoption selection by the caseworker, (after considering information from the specific individuals who have relevant input and consultation with the supervisor), are those in which at least one of the following circumstances applies:

- The child is identified as an American Indian or Alaska Native child and the adoption placement selection complies with Child Welfare Policy I-E.2.1, Placement of Indian Children at this [link](#).
- The child is a refugee child and the adoption placement selection complies with Child Welfare Policy I-E.2.2, Placement of Refugee Children at this [link](#).
- A relative of a child is being considered alone as the potential adoptive resource for a child or siblings, unless:
  1. A DHS staff member is a potential adoptive resource, and the requirements of the DHS-060-002, Conflict of Interest Policy at this [link](#) and the Conflict of Interest Policy Addendum for CAF Employees at this [link](#) apply.
  2. A non-DHS staff member with a potential conflict of interest with the agency is a potential adoptive resource.
  3. A potential adoptive resource is living outside the U.S., or Child Welfare Policy I-G.1.14, Intercountry Adoption Pursuant to the Hague Convention and Intercountry Adoption Act at this [link](#) applies.
- A current caretaker is being considered alone for a child or siblings unless any of the following conditions are present:

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1. A DHS staff member is a potential adoptive resource, and the requirements of the DHS-060-002, Conflict of Interest Policy at this [link](#) and the Conflict of Interest Policy Addendum for CAF Employees at this [link](#) apply.
  2. A non-DHS staff member with a potential conflict of interest with the agency is a potential adoptive resource.
  3. A potential adoptive resource is living outside the U.S., or Child Welfare Policy I-G.1.14, Intercountry Adoption Pursuant to the Hague Convention and Intercountry Adoption Act, at this [link](#) applies.
- A single child under six years of age with no extraordinary needs and each potential adoptive resource is a general applicant. If the identified potential adoptive resources include the child's current foster parent who is being considered as a general applicant along with other general applicants, see adoption committee qualification information below.

Another option is available to the caseworker. Following consultation with the supervisor, the caseworker may request the adoption placement selection be referred to a local adoption committee based on the complexities or dynamics of a case. The request must be approved by the Child Welfare program manager (CWPM) or designee.

### **Cases for referral to local adoption committee process**

The local adoption committee recommends an adoptive resource, and the (ADS) makes the adoption placement selection in specific cases. The following circumstances require a local committee process:

- The child is six years of age or older.
- The child of any age has extraordinary needs.
- A sibling group is being placed together for the purpose of adoption and each potential adoptive resource is a general applicant.
- The identified potential adoptive resources include the child's foster parent (as a general applicant, rather than as a current caretaker) with other general applicants.
- The CWPM or designee approved the use of a local adoption committee rather than a caseworker selection process when the case meets the criteria of the latter. For this option, the caseworker, following consultation with the supervisor, obtains approval for the use of a local adoption committee process based on the complexities or dynamics of the case.

### **Cases for referral to Central Office adoption committee process**

Central Office committees are available in different areas around the state, but are administered by the Central Office Child Permanency Program. Caseworkers refer to a Central Office adoption

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committee process in which the ADS makes the adoption placement selection when one or more of the following criteria apply:

- The potential adoptive resources include:
  1. More than one relative.
  2. A relative and a current caretaker.
  3. More than one current caretaker family is being considered for siblings to be placed together in adoption.
  4. A DHS staff member when the DHS-060-002, Conflict of Interest Policy at this [link](#) and the Conflict of Interest Policy Addendum for CAF Employees at this [link](#) apply.
  5. A non-DHS staff member with a potential conflict of interest with DHS.
  6. The potential adoptive resource is an individual living outside the U.S., or Child Welfare Policy I-G.1.14, Intercountry Adoption Pursuant to the Hague Convention and Intercountry Adoption Act found at this [link](#) applies; or
- The caseworker, following consultation with the supervisor, obtained approval for the adoption selection decision through a Central Office adoption committee process based on the complexities or dynamics of the case. The Child Permanency Program manager, assistant program manager or designee must approve the use of a Central Office adoption committee when the case would otherwise meet caseworker selection process or local adoption committee criteria.

### **Permanency Committees do not make adoption selection decisions**

Caseworkers use Permanency Committees to seek some specific permanency casework related decisions, but the Permanency Committee may never be used to make any adoption selection decisions.

### **Cases for referral to Central Office adoption committee process**

An adoption committee must include the following individuals:

- The caseworker of each child for whom adoption placement selection is being made. When the caseworker for a child is unavailable, the local office may substitute another worker or supervisor who is familiar with the case, to attend the adoption committee on their behalf.
- Three individuals who are appointed by the CWPM or designee for a local adoption committee and appointed by the Central Office Child Permanency Program manager, assistant program manager, or designee for a Central Office adoption committee:
  1. Facilitator, who must be a department staff person; and
  2. Two neutral individuals who may be community partners or department staff.

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These specific committee members must:

1. Be knowledgeable of adoption and permanency issues;
  2. Be knowledgeable of the importance of lifelong family and cultural connections; and
  3. Have no personal or current professional relationship to any of the children for whom adoption placement selection is being made or to the potential adoptive resources being considered.
- The following individuals for each child for whom adoption placement selection is being made must be notified of the adoption committee as applicable for each child. The following individuals may choose to be adoption committee members, but they are not mandated to be committee members:
    1. The CASA;
    2. The child's attorney;
    3. A tribal representative if the child is an American Indian or Alaska Native child; and
    4. A member of the Refugee Child Welfare Advisory Committee (RCWAC) if the child is a refugee child.

The ADS is not a member of the adoption committee.

### **The supervisor's role**

- Provide consultation on the appropriate adoption selection process for the child or sibling group being placed together for adoption.
- Be aware of the differences and tasks for the three adoption selection processes (caseworker adoption selection, local adoption committee and Central Office adoption committee) and the Permanency Committee.
- Help the worker prepare to conduct disclosure about the child's information to prospective families as appropriate for each specific stage in the consideration and selection process.
- Help the worker prepare for the adoption committee meeting when the case indicates a selection process at an adoption committee, especially if the worker is inexperienced in participating at an adoption committee. Encourage the worker to prepare their outline for the committee by using the form 256 Child Presentation by Caseworker for Adoption Committee, which is an optional outline. The form helps the caseworker have a focused verbal presentation of child information at adoption committee and is at this [link](#).
- Inform the worker of the form 257 Child Presentation by Community Partner for Adoption Committee. This is an optional outline for the verbal presentation of child information at adoption committee. The CASA, child's attorney, therapist, foster parent, mentor, service provider and other partners invited may use the form to give information about the child at the adoption committee. The form is at this [link](#).

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- Help the worker maintain the focus on the child's best interests when there seem to be vying interests in case planning for adoption selection.
- Consult with the Central Office Child Permanency Program's adoption placement specialist or supervisor for question about the adoption selection process.

### Forms and references

#### Oregon Revised Statutes

- ORS 418.280 – 418.285

#### Child Welfare policies

- Adoption Placement Selection, [OAR 413-120-0000 to 0060](#)

### C. Caseworker and adoption worker responsibilities: Caseworker selection process

Specific cases are referred for the caseworker selection decisions after considering the input from the child's team and following consultation with the supervisor. Cases in which caseworkers may select adoptive families are generally less complicated than cases referred to adoption committees. The caseworker is not alone when considering the decision, as the supervisor, specific individuals who know the child and the adoption workers are involved to provide information and recommendations. Workers can also consult with respected, knowledgeable colleagues about the selection process. Adoption selections must be made according to I-G.1.5, Adoption Placement Selection rules at this [link](#). See the Chapter 5, Section 7 appendix for information about what cases go to what adoption selection process.

When the caseworker selection process is the appropriate method for a child for whom ICWA applies, the worker must follow this entire process to select the adoptive family, except the caseworker follows the ICWA preferences for adoption selection found at this [link](#).

When reading the following material, notice that within the stages of the process there are references to both *business* days and *calendar* days.

### Procedure

The caseworker and adoption worker have interconnected responsibilities in the following procedure:

- The timelines below may be changed when the caseworker, the adoption worker for each of the identified potential adoptive resources, and the CASA, child's attorney, tribal representative and RCWAC representative as applicable, agree on a new timeline.

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- If any of the following individuals are involved, the caseworker must contact the CASA, child's attorney, tribal representative and member of the RCWAC to solicit their voluntary input regarding the child's long-term needs and possible characteristics related to adoptive family compatibility. For formal adoption selection, this is the first time the caseworker is required to gather input from these individuals on consideration of families for the child.
- The caseworker consults with their supervisor to consider others who may have input about parent and family characteristics related to a family's long-term ability to successfully adopt the child and provide for the child's safety, permanency and well-being. These individuals may be the child's foster parent, therapist, former foster parent, extended family member, child when appropriate, treatment providers, mentor, medical provider, teacher and others who know the child and the child's special needs.
- The supervisor reviews the diligent relative search with the caseworker. The supervisor ensures the agency has conducted a diligent search and is not assessing, identifying or having an adoption agency conduct an adoption home study for any other relatives not identified for consideration. The relative search and results should be well-documented; see Search for and Engagement of Relatives policy I-E1.1. at this [link](#) for more information .
- The caseworker reviews home studies of applicants and identifies up to three potential adoptive resources according to the priorities in policy I-G.1.2, Identification and Consideration of Potential Adoptive Resources at this [link](#). Home studies must be approved for the purpose of adoption and be written or updated within the last 12 months. Home studies must be conducted by licensed adoption agencies.
- When the prospective adoptive family resides in a state that does not complete an adoption home study before a child is placed with an adoptive resource or before the child being legally free for adoption, the Central Office Child Permanency Program may approve use of a foster home study or a relative study as an adoption home study for the purpose of adoption selection. This is under the following conditions:
  1. The family meets the other requirements of subsections (1)(a), (b), and (c) of 413-120-0246; Standards for an Adoptive Home and Release of an Adoption Home Study at this [link](#); and
  2. The family must have an approved adoption home study completed before designation of the child's placement for the purpose of adoption.
- When ICWA is applicable, the caseworker follows ICWA placement preferences, as noted in I-E.2.1, Placement of Indian Children policy section 413-070-0220 at this [link](#).
- When the child is known to the family, the adoption worker sends the caseworker the completed and approved child-specific adoption home study or update before the selection process. This is to ensure the adoption worker has provided a completed adoption home study to the caseworker before caseworker selection.

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- After receipt of the studies, the caseworker consults with the adoption workers for the one to three families the caseworker has identified for consideration for selection. The caseworker discusses the ability of the potential adoptive resource to meet the needs of each child under consideration.
- The caseworker is to maintain confidentiality for prospective families regarding the release of home studies. Adoption home studies may not be shared with non-DHS staff (the exception is contracted adoption recruiters) when the worker is still identifying families for an adoption selection process. Only when a date has been scheduled for a caseworker selection or adoption committee process may the identified home studies (that are part of the information packets) be sent to the child's attorney, CASA, tribal representative and member of RCWAC within the strict relevant rules of the Adoption Placement Selection OARs. The OARs are 413-120-0016 Confidentiality, 413-120-0021 Adoption Placement Selection by Caseworker and 413-120-0035 Invitation to and Notification of Adoption Committee and are found at this [link](#).
- For each adoption worker of the families, the caseworker must provide written child information about the history and needs of the child, including child summary, evaluations and progress reports. The caseworker redacts identifying information from materials before giving materials to adoption workers of families. As needed, the caseworker discusses their questions, concerns and the ability of the family to meet the child's current and potential long-term needs.
- Each adoption worker provides written information from the caseworker about the child to the family they represent. Each adoption worker works with the family to:
  1. Describe the selection process;
  2. Inform the family who will review their home study and relevant information; and
  3. Obtain or verify releases of information to share family information with CASA, child's attorney, tribal representative and RCWAC representative as applicable.
- In addition to written information and verbal disclosure from the caseworker, prospective families may talk with others who know the child. This should be strictly controlled to protect the child and confidentiality of the child, adoptive families and foster families. For more detail about sharing information about the child at this specific stage in the decision making process, see in Chapter 5, Section 7, Subsection E, "Disclosure of the child's information to adoptive families."
- Adoption workers confirm with the caseworker whether families are still willing, available and appropriate to be considered for the child. This is especially important when there is a long wait between when an adoption worker submits a general applicant family's study and the caseworker schedules the selection date.
- After the caseworker has confirmed the identified potential families are available and appropriate to be considered, the caseworker sets the date for selection and notifies the adoption workers of the date. Adoption workers do not attend the meeting between the caseworkers and supervisor, as the worker has already discussed information and questions with the adoption workers. There is not a local "mini committee" process or Permanency Committee process in which people "vote" for families.

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- The caseworker must complete the following for the CASA, child's attorney, tribal representative and RCWAC member at least 10 business days before adoption selection:
  1. Notify them of date scheduled for selection.
  2. Send packets of home studies and other relevant information, unless the person specifically states that they do not want a packet.
  3. Request input about each family's abilities to meet the child's needs and notify each that the worker must receive voluntary input two days before selection.
- Before selection, the caseworker:
  1. Considers input from CASA, child's attorney, tribal representative and RCWAC member. This is the second time this request is required. Note this date and content in OR-Kids.
  2. Consults with the supervisor and notes the date in OR-Kids.
- On the date of the scheduled selection, the caseworker makes the decision on selection following consultation with their supervisor. The worker may select a backup family to be the adoptive family should the selected family not become the adoptive placement. The worker may also decide that none of the families considered were appropriate for selection as the adoptive resource.
- The caseworker documents their selection decisions and rationale on one of the following DHS forms:
  1. Caseworker Adoption Selection Decision form 255 for all caseworker selections except when a nonrelative current caretaker is considered alone.
  2. Current Caretaker Consideration Report form for consideration of a nonrelative current caretaker alone. Use form 251's page called Caseworker Selection Decision, Section 10. Use the form used for the Permanency Committee and documents the decision of the CWPM or designee.
- The caseworker's documentation about their reasoning behind the decisions should include discussion about how the selected family is likely to meet the child's current and possible long-term special needs. Bullets are fine. "Child attached," alone is not sufficient information about the rationale for a selection decision. The worker may also choose not to select a family, in which case, the worker briefly states the concerning issues. The worker should aim to have an informed reader understand their rationale for their decisions. See the Appendix for more detail in the article called "Caseworker and adoption decision specialist rationale documentation guidelines" for more information.
- The CASA, child's attorney, tribal representative or RCWAC member who received adoption selection information packets of home studies and other materials during the selection process must return the materials to DHS within seven business days of the notice of selection decision.

### D. Caseworker and adoption worker notification responsibilities after caseworker selection process

- The caseworker notifies the adoption workers of the decisions by the end of the scheduled day of the adoption selection process.
- The caseworker sends written notice of the outcome by the end of the next business day following the selection date to the CASA, child's attorney, tribal representative and RCWAC member. This may be done by email, U.S. Postal Service, fax or other electronic means.
- The caseworker sends written notice of the outcome by the end of the next business day following the selection date to the adoptive family not studied by DHS using the DHS 260 Notification of the Adoption Selection Outcome form letter.
- DHS adoption workers who presented families are responsible for sending letters to the respective families using the 260 Notification of the Adoption Selection Outcome form letter. This is sent by the end of the next business day following the adoption placement selection. As is good practice, workers are also responsible for engaged, direct verbal communication with families after the selection process. Document this information in OR-Kids provider notes.
- The caseworker notifies the Central Office Child Permanency Program within three days of the decision of the selection. The worker notifies by sending a fax or email to the Central Office seamless support staff person who is teamed with child's branch's legal assistance specialist. The caseworker does not save the selection form in OR-Kids.

### E. Relative expresses interest in adopting after the caseworker sends notifications

When a child's relative expresses interest in being considered as a potential adoptive resource after the required notifications of the caseworker adoption selection process according to 413-120-0021 Adoption Placement Selection by Caseworker, refer to this [link](#) to policy for more detail. The focus of decision-making is based on the child's long-term needs.

- The CWPM or designee must review the diligent efforts to identify a child's relatives required under Child Welfare Policy I-E.1.1, Search for and Engagement of Relatives, OAR 413-070-0060 to 413-070-0063 at this [link](#) and:
  1. Consider the impact of a delay in achieving permanency on the best interests of the child; and
  2. Make a determination whether it is in the child's best interest for an adoption home study to be conducted with a relative despite the delay in achieving permanency.

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When a CWPM informs the caseworker of the determination to consider a relative identified as described above:

- The caseworker must notify the CASA, child's attorney, tribal representative and RCWAC member and the involved adoption workers that the adoption selection process has been suspended.
- The adoption workers must notify each identified potential adoptive resource that the process has been suspended.

### **F. Scheduling and participating in the adoption committee**

#### **Procedure**

Different offices have different processes to schedule an adoption committee, so this information is general and some local or district offices may have more or less support staff involvement than is described below.

The caseworker is to:

- Determine, in consultation with the supervisor, the type of adoption selection process to be scheduled after considering the relevant family and child factors discussed in Chapter 5, Section 7, subsection "Identifying the appropriate adoption selection process."
- Ensure the Child Permanency Program has all required documents including:
  1. Adoption Child Summary. This must be completed or updated within 12 months before the selection date.
  2. Birth certificate (original).
  3. Original ICWA correspondence.
  4. Copies of all of the child's psychological evaluations, developmental evaluations, therapist reports, early intervention reports, therapy progress reports and other documentation describing the child, their special needs and placement related recommendations.
  5. Genetic and medical history of child and biological family.
  6. Copies of adoptive family home studies and updates, if applicable. Home studies must be completed or updated within the 12 months.
- For a local committee, email the local Child Welfare office adoption committee coordinator to schedule a local (sometimes called "district") adoption committee. For a Central Office adoption committee, email the Child Permanency Program adoption committee coordinator. Include the following in the email requesting the committee:
  1. Full names and age(s) of the child/children;
  2. Name, telephone number and email of each adoption worker and the name of the local Child Welfare office or private agency each adoption worker represents;

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3. First and last names for each family being presented and the family's relationship to the child or children, if any;
  4. Names of the people invited to committee to present information about the child; and
  5. Names, phone numbers, email addresses and mailing addresses for the child's attorney, CASA, tribal representative and RCWAC member as applicable.
- Provide written information to be presented at the committee to the correct office staff member in time to be included in the committee information packets. The packets are mailed at least 10 days before the committee date by the:
    1. Child's caseworker or the local office adoption committee coordinator for a local office adoption committee, or
    2. Child Permanency Program adoption committee coordinator for a Central Office adoption committee.
  - Ensure the information packets include the following information:
    1. Adoption Child Summary.
    2. Copies of all of the child's psychological evaluations, developmental evaluations, therapist reports, early intervention reports, therapy progress reports and other documentation describing the child, their special needs and placement related recommendations.
    3. Copies of approved adoption home studies and other information related to the family as identified by the adoption worker. The committee will need identification of who will supervise the adoption placement, which can be in writing or verbally shared if it is not a DHS studied family.
    4. CF 250, Adoption Selection Report, (*for the facilitator and ADS only*).
    5. Copy of child's recruitment bulletin, when applicable.
  - Adoption workers of the families being presented must be notified of the date, time and place:
    1. If a local committee is scheduled, check with the local committee coordinator to determine if the caseworker or the coordinator notifies the adoption workers for the families who will be presented at committee of the location, time and date of the committee. Notify or verify that notification has occurred.
    2. If a Central Office adoption committee is scheduled, the Child Permanency Program adoption committee coordinator will coordinate and confirm this information.
  - Contact the CASA, child's attorney, tribal representative and RCWAC member as applicable to inform them of the date, time and location of the committee.
  - Invite other individuals who may contribute to the adoption selection process being well informed due to their ability to provide vital information about the child to the committee and ADS. These people may include, but are not limited to the following:
    1. Child's foster parent. The foster parent may not attend the committee if they are being presented as a resource family.

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2. Child's therapist.
  3. Mentor, teacher or professionals involved with the child.
- Inform presenters of information about the child that they may be in the meeting during the sharing of the information about the child and will then be excused for the remaining portion of the committee meeting (other than child's attorney, CASA, tribal representative and RCWAC member). Notify them of the general times they are scheduled to present. These presenters of information about the child do not get adoption committee packet materials.
  - Give the schedule and guest list to the committee facilitator before the committee or at the beginning of the committee meeting.

### Forms

- Genetic and Medical History of Child and Biological Family
- Adoption Child Summary
- CF 250 Adoption Selection and Recommendation Report at this [link](#).

### G. Caseworker protection of prospective adoptive families' home studies

Maintain confidentiality regarding release of prospective families' home studies and family information. Adoption home studies may not be shared with non-DHS staff (the exception is contracted adoption recruiters) when the worker is still identifying families for an adoption selection process. Only when a date has been scheduled for a caseworker selection or adoption committee process may the identified home studies (that are part of the information packets) be sent to the child's attorney, CASA, tribal representative and member of RCWAC within the strict relevant rules of the Adoption Placement Selection OARs. The OARs are 413-120-0016 Confidentiality, 413-120-0021 Adoption Placement Selection by Caseworker and 413-120-0035 Invitation to and Notification of Adoption Committee and are found at this [link](#).

### H. Invitations and notifications

#### Caseworker makes mandatory notifications and invitations to the prospective adoption committee members

- The caseworker must invite to the committee as applicable for each child: the child's attorney, CASA, tribal representative and member of the Refugee Child Welfare Advisory Committee (RCWAC). These specific individuals have different options for participation and providing input for the adoption selection process.

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- The caseworker informs the child's attorney, CASA, tribal representative and RCWAC member that they are invited for two optional tasks:
  1. To present information about the child to the committee. They may attend in person, send a representative, present on a speaker-phone (the worker should make sure a phone is available in the room) or write a letter. They may choose not to participate. They may discuss characteristics of the type of adoptive family they believe will best meet the child's needs and their preferences. Inform them of the optional DHS form 257 Child Presentation by Community Partner for Adoption Committee. It is an outline for the verbal presentation of child information and focuses information on the goal of the committee process. The child's attorney, CASA, tribal representative or RCWAC member may request that DHS invite individuals to the adoption committee to present information regarding a child's needs.
  2. To be a committee member. This must be the specific individual or their supervisor. They must tell the facilitator at the beginning of the committee meeting that they wish to be a member.
- The child's attorney, CASA, tribal representative and RCWAC member receive the families' home studies in their committee packets that DHS provides. These individuals save their questions about families for the committee meeting at which they may make inquiries of the adoption workers. The caseworker may not provide family home studies to these individuals outside of the steps and purposes in the adoption selection process rules.

### **Caseworker invites partners for child presentations only**

Community partners involved with the child may provide highly valuable information about the child for consideration in the committee process. The caseworker should inform the partners of the optional DHS form 257 Child Presentation by Community Partner for Adoption Committee, which is an outline for the verbal presentation of child information and focuses information on the goal of the committee process.

- The caseworker invites the foster parent to present information about the child, except when the foster parent is being considered as an adoptive resource or there is a conflict of interest. An example of a conflict of interest is a foster parent's adult son or daughter is being considered as the adoptive resource, since this could be interpreted as a personal advocate for a prospective adoptive family. A worker with questions about inviting or preparing the foster parent should consult their supervisor.
  1. Inform the foster family's certifier that the child's case will be going to adoption committee so that the certifier may support the family.
  2. Prepare the foster parent if they are going to present:
    - a. Talk with the foster parent about what information about the child each plans to present in person (which is preferable) or by phone. The foster parent may also send a letter to the committee regarding the child's personality, progress and needs.

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- b. If they have never presented at adoption committee, the worker will want to prepare them for the possibility of strong emotions at the thought of the child moving, which is understandable, especially if they had ambivalence about adopting or if they have great affection for the child.
- The caseworker may invite others who know the child to present information. These partners may include therapists, service providers, mentors, teachers, school counselors and courtesy supervision worker if the child is in another county, and others who know the child well. These people can be critical in providing information to the committee. The worker should explain to them their role is to present information about the child and their needs. Help them understand that their role is not to advocate for a particular family. They may discuss the characteristics of a family that they believe will best meet the child's needs (such as a calm environment, energetic parent, high structure, no other children of the same age, etc.).
- If the child's caseworker determines the child's attendance is appropriate, on a case-by-case basis, the worker has the discretion to invite the child. This should be discussed with the supervisor and include planning for the preparation of the child before the committee. If the child has a therapist, the worker should seek their input.

### **I. Relative expresses interest in adopting after sending notifications of adoption committee**

When a child's relative expresses interest in being considered as a potential adoptive resource after the required notifications of the adoption committee adoption process have occurred according to 413-120-0035 Invitation to and Notification of Adoption Committee (2) have been provided, the Child Welfare program manager or designee has discretion to consider the relative according to (8). Refer to this [link](#) to policy for more detail. The focus of decision-making is based on the child's long-term needs.

- The Child Welfare program manager (CWPM) or designee must review the diligent efforts to identify a child's relatives required under Child Welfare Policy I-E.1.1, "Search for and Engagement of Relatives," OAR 413-070-0060 to 413-070-0063 at this [link](#) and:
  1. Consider the impact of a delay in achieving permanency on the best interests of the child; and
  2. Make a determination whether it is in the child's best interest for an adoption home study to be conducted with a relative despite the delay in achieving permanency.

When a CWPM informs the caseworker of the decision to consider a relative identified as described above:

- The caseworker must notify the CASA, child's attorney, tribal representative and RCWAC member and the involved adoption workers that the adoption selection process has been suspended.
- The adoption workers must notify each identified potential adoptive resource that the selection process has been suspended.

## J. Preparation for adoption committee

### Procedure

The caseworker should be aware that they have two very active roles at the adoption committee:

1. To present comprehensive information to the adoption committee about the child; and
2. To participate as an active member of the adoption committee to make a placement recommendation at the end of the committee deliberation.

### **Caseworker preparation for presentation of information about the child**

- The worker provides the committee with a clear picture of who the child is, as well as their current and potential likely long-term needs. An adoption committee facilitator may even decide to cancel or reschedule the day's committee if it appears that there is not enough information about the child to guide the committee's recommendation and the ADS's decision.
- Even if the worker is relatively new to a case, they are responsible for understanding and conveying the child's history. The caseworker must review the case record. Talk to the supervisor. Talk to available previous workers who worked with the child or knew significant information. Ask about the child's issues, how they progressed and the circumstances around any moves in foster care. Read case notes in OR-Kids. Talk with the SSA about visits. Talk with the foster parent. Visit the child.
- If a worker is inexperienced in presenting at adoption committee, they may wish to talk with their supervisor about being accompanied by the supervisor for support and direction. The worker may also read the Adoption Placement Selection policy I-G.1.5 at this [link](#) for additional information.
- The worker is responsible for some form content about the child on the 250 Adoption Selection and Recommendation Report. The worker must complete their sections of the form before the committee information packets going to the ADS and facilitator. The report is used for adoption committee recommendations and ADS selection process. The adoption committee facilitator and the ADS are also responsible for form content during and after the committee meeting. The form is at this [link](#).
- Prepare to discuss relevant topics. The 256 Child Presentation by Caseworker for Adoption Committee form is highly recommended. It is an optional outline for the verbal presentation of child information at the committee.

The caseworker (possibly with help from foster parent, therapist and others) should be prepared to cover the following:

- » When recruitment began and number of home studies received (if applicable).
- » Date and reason the child came into care
- » Sibling issues, including need for on-going connections
- » Need for contact with birth family members

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- » Prenatal history, if known
  - » Number of placements and reasons for moves
  - » History of trauma, abuse and neglect
  - » Sexual abuse history and history of any sexual acting out
  - » Legal status
  - » Family history
  - » Social skills
  - » Attachment history and quality to birth parents/care givers
  - » Emotional, physical, verbal and cognitive development, prognosis
  - » Medical/dental health, medications and possible future needs
  - » Education
  - » Discipline methods, what works and what does not work
  - » Child's spiritual/religious experience and heritage. Attendance at church, temple, etc.
  - » Child's cultural and ethnic heritage identity, experiences and needs (remember MEPA/IEP)
  - » Counseling history and history of any services provided
  - » Child's preparation for adoption and understanding of adoption
  - » Composition of foster family
  - » What the foster parent likes about child, foster parent's concerns, challenges in parenting child
  - » Child's strengths
  - » Characteristics of adoptive family needed, characteristics that may hinder a good match
  - » Safety issues not covered above, but relevant to adoptive placement
  - » Special considerations regarding transition
- If the adoption committee information packet has already been sent to the adoption committee members, ADS, child's attorney, CASA, tribal representative, and RCWAC member and the worker has new written information that will take more than a few minutes to read, the child's worker is responsible for sending the information to these individuals before committee if possible. For a Central Office adoption committee, contact the Central Office adoption committee coordinator by email to share additional information with those receiving the packets. It is not convenient for members to receive long documents they must read during committee time. Short documents are fine to bring to the committee if it was not possible to include them in the packet and are necessary.
  - The caseworker should bring the child's case file to the committee. Ensure that the case file has all appropriate records related to the child, such as medical, school, mental health, Head Start, etc. The

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caseworker should bring all of the material listed on the CF 963 to give to the adoption worker of the selected family if the ADS announces their decision at the committee. Good practice mandates that the worker also bring the child's Life Story Book. For more information about Life Story Books, see the Appendix for Chapter 5, Section 7.

### **Caseworker preparation to participate as a committee member**

In addition to presenting child information, the caseworker is a committee member. The caseworker is to read all of the committee materials, hear the information presented at the committee, ask questions of presenters, participate in committee's discussion and make recommendations to the ADS. The caseworker's priority is the child's best interests.

The caseworker's knowledge of the case and the child is seen as critical information. Prepare to make a recommendation to the ADS regarding the adoptive resource that is likely to permanently and fully integrate the child into the family and to meet the child's current and possible lifelong needs. The worker should have an open-minded perspective at the committee. Possible recommendations that a member may make to the ADS are one or more of the following:

- A single adoptive resource is the most appropriate;
- An order of preference of appropriate adoptive resources; or
- One or more potential adoptive families are not appropriate and should not be considered.

### **Forms**

- CF 963 Required Information Checklist for Adoption Workers
- Adoption Child Summary
- Genetic and Medical History of Child and Biological Family

### **K. Adoption committee responsibilities and process**

The best adoptive placement decisions are made as the result of a collaborative and thorough information sharing process. The committee process provides objective, multilateral thinking that the neutral ADS considers as part of the decision-making to select the most compatible adoptive family for the child.

### **Conflict of interest for adoption committee members – information for the worker**

- To maintain objectivity, neutral committee members appointed to a local or Central Office committee may not have a personal or current professional relationship to any of the children or

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potential adoptive resources being considered. Maintaining a committee process that has maximum integrity, professionalism and objectivity is paramount.

- Before the committee, if a neutral committee member or facilitator finds they have a conflict of interest, they must immediately notify the child's caseworker and the committee facilitator and find an alternate committee member for that committee.
- If a committee member is not certain if a conflict of interest exists, as soon as possible the member discusses the issue with the supervisor, CWPM or adoption placement specialist or assistant manager in the Central Office Child Permanency Program.

### **Confidentiality**

Everyone attending an adoption committee must follow Oregon statute and DHS administrative rules, OAR 413-010-000 through 413-010-0075, Confidentiality of Client Information at this [link](#) and OAR 413-120-0016 Confidentiality at this [link](#). The "Confidentiality Statement for Adoption Committee" form 273 is used by individuals attending adoption committee. The facilitator and all participating in the committee meeting are responsible for signing the form.

### **Committee meeting attendees and presentation of child and family information**

The committee members, facilitator, ADS, caseworker, CASA, child's attorney, tribal representative and RCWAC member, presenters of child information invited to the committee, and adoption workers each have specific responsibilities discussed below.

### **Procedure:**

- The committee facilitator is responsible for:
  1. Commencing the committee and keeping the committee focused on the task of having information presented and discussed for the purpose of adoption selection recommendations and decision making for the child. The last page of the Adoption Recommendation and Selection Decision form 250 has the tasks listed in order for an easy reference.
  2. Conducting introductions of attendees.
  3. Explaining the purpose of the meeting and discussing ground rules for the committee.
  4. Inquiring about the roles the CASA, child's attorney, tribal representative and RCWAC member plan to take at the committee (full committee member or to provide information about the child and observe).
  5. Reading the confidentiality statement and ensuring all attendees sign the statement agreeing to follow DHS confidentiality rules relevant to the committee. Those attending by phone verbally agree to the confidentiality rules.

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6. Indicating when the child information presentations should begin, starting with the caseworker and followed by others presenting information about the child.
- Committee members and the ADS may ask presenters questions about the child. The focus is for the committee and the ADS to obtain the most thorough and accurate picture of the child now and their potential needs in the future.
  - The ADS and facilitator each have sections of the Adoption Recommendation and Selection Decision form 250 for which they have completion responsibility.
  - Committee members record their notes individually.
  - After child presentations, the facilitator EXCUSES presenters of child information who are not eligible to serve on adoption committee. Excused are the foster parent, therapist and others. This is to protect the confidentiality of the prospective adoptive families' information.
  - The adoption workers make family presentations focusing on families' abilities to parent the specific child or children. The family may have a family book for the committee to view during the meeting.
  - Committee members, those eligible to be committee members if they choose, and the ADS may ask the adoption workers questions during and after each family presentation. The focus is to provide as thorough a picture of each family as possible related to what strengths, skills, knowledge and challenges they are likely to have when parenting the child in the future.
  - Prospective adoptive parents and legal or personal advocates for a family under consideration may not attend the committee. This means that a foster parent being presented at the committee may not be invited to present information about the child. A family may give their input to the committee through written communication, which is best provided in the committee packets along with the family's home study.

### Adoption committee member discussion and recommendations

- After all presentations have been completed the following individuals
  1. Must remain at the adoption committee:
    - a. The ADS,
    - b. The adoption committee members, and
    - c. The adoption workers for the potential adoptive families (which includes Special Needs Adoption Coalition workers who have been contracted to present out of state families at the committee).
  2. May remain at the adoption committee, if they so choose:
    - a. The CASA, child's attorney, tribal representative and RCWAC representative who are attending the committee and have elected not to serve as committee members.
    - b. With approval of the facilitator individuals described in OAR 413-120-0025(4) at this [link](#): the supervisor for any of the following individuals: caseworker of each

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child for whom adoption placement selection is being made, the neutral individuals appointed to serve as committee members, facilitator, CASA, child's attorney, tribal representative, RCWAC member and adoption workers.

- c. Department staff, for training or observation purposes.
- The facilitator initiates the discussion by the identified committee members, which is intended to be a thorough child centered exchange of ideas and consideration of each families' skills, knowledge and abilities to meet the child's needs.
  - Members consider information, deliberate and make recommendations regarding the presented adoptive family or families most likely to permanently and fully integrate the child into the family and meet the current and lifelong needs of each child being considered. Only adoption committee members may give recommendations regarding the selection of the family. The ADS listens, but does not participate in this deliberation.
  - When adoption committee members all agree, the adoption committee may make one or more of the following recommendations:
    1. A single potential adoptive resource is the most appropriate.
    2. An order of preference of appropriate adoptive resources.
    3. A potential adoptive resource is not appropriate and should not be considered.
  - Optional recommendations may include recommendations regarding transition of the child to the adoptive family, preparation of the family, or preparation of the child for the adoptive placement.
  - When the committee members cannot reach agreement, each adoption committee member gives their recommendations to the committee facilitator.
  - The facilitator records committee information on the 250 Adoption Selection Report form and submits the form to the ADS.

### **Adoption decision specialist's decision-making and conclusion of meeting**

- The ADS considers the information and recommendations and makes the selection decision at the meeting's end or by the end of the next business day following the meeting. The ADS may decide:
  1. A single potential adoptive resource is the most appropriate.
  2. An order of preference of appropriate adoptive resources in the event that the first selected family is not able to parent the child.
  3. A potential adoptive resource is not appropriate and should not be considered.
- If the ADS does not select an adoptive family, the ADS may make recommendations to the child's caseworker on how to proceed. The caseworker should discuss the recommendations with their supervisor.

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- If the ADS selects a family, they may make recommendations regarding transition of the child to the adoptive family, preparation of the family, or preparation of the child for the adoptive placement.
- All confidential written information for committee given to the CASA, child's attorney, tribal representative, RCWAC member and committee members must be given to the department by the meeting's end. When the individual did not attend the committee, the materials must be returned to the department within seven business days.
- The facilitator reminds staff of their notification responsibilities and deadlines and adjourns the meeting.

### Notification responsibilities after the adoption committee

- The adoption workers who are not employed by the department, child's attorney, CASA, tribal representative and RCWAC member must provide contact information for written notification of the decision from the department. The caseworker, department adoption workers, facilitator and ADS have email access for written communication. Written information may be by email, fax or other electronic methods, as well as by U.S. Postal Service, although more swift methods are generally preferable.

The *last* page of the Adoption Recommendation and Selection Decision form 250 has the notification tasks for and timelines for the ADS, facilitator, and caseworker listed for easy reference.

- The ADS sends:
  1. Written notification to the caseworker, adoption workers and facilitator of the decision and if a backup family was identified. The ADS must notify these individuals by the end of the next business day following the meeting.
  2. The form 250 Adoption Selection Report with selection and rationale to the Central Office Child Permanency Program within two business days following meeting. This may be by fax at 503 945-6633 or by email. Send to the Central Office seamless support staff member who assists the Legal Assistance Specialist for the child's local office.
- The caseworker sends written notification on a DHS approved form, the letter in the Adoption Placement Selection Notification form 272, to the child's attorney, CASA, tribal representative, RCWAC member and adoption agency other than the department as applicable. This includes information about the review process. The worker must notify these individuals by the end of the next business day following the ADS's written notification to the worker. Find the form at this [link](#).
- DHS adoption workers and caseworkers send written notification to each family as to whether the family was selected. This must be sent by the end of the next business day following the ADS's written notification of the decision to workers. Workers notify by using the DHS form

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260 Notification of the Adoption Selection Outcome letter at this [link](#). As is good practice, the appropriate workers are also responsible for engaged, direct verbal communication with families after the selection process, rather than relying only on the form. The letter includes review information.

1. The *caseworker* sends notification to families studied by an agency other than DHS.
  2. DHS adoption workers send notification to DHS studied families.
- There are no requests for review for committees on which all families considered are general applicants.

### The supervisor's role

- Provide consultation to the caseworker on the appropriate adoption selection process to use for a child or sibling group being placed for adoption.
- Ensure the caseworker is adequately prepared to present the child at the adoption committee.
- Ensure the caseworker is adequately prepared to professionally participate as a committee member.

### Forms and references

#### Legal references

#### Oregon Revised Statutes

- ORS 418.280 – 418.285

#### DHS policy

- Adoption Placement Selection, [OAR 413-120-0000 to 0970](#)
- Confidentiality of Client Information, [OAR 413-010-0000 to 0075](#)
- Release of Adoption Home Study Reports, [OAR 413-010-0081 to 0085](#)
- Placement of Indian Children, [OAR 413-070-0000 to 0974](#)
- Placement of Refugee Children, [OAR 413-070-0000 to 0974](#)
- Search for and Engagement of Relatives, [OAR 413-070-0000 to 0974](#)
- Intercountry Adoption Pursuant to the Hague Convention and Intercountry Adoption Act, [OAR 413-120-0900 to 0970](#)
- Adoption Applications, Adoption Home Studies, and Standards for Adoption, [OAR 413-120-0000 to 0970](#)

## Forms

- Confidentiality Statement for Adoption Committee form 273 at this [link](#).
- Child Presentation by Community Partner for Adoption Committee form 257 at this [link](#).
- Child Presentation by Caseworker for Adoption Committee form 256 at this [link](#).
- Confidentiality Statement for Adoption Committee form 273.
- Caseworker Adoption Selection Decision form 255.
- Current Caretaker Consideration Report form 251.
- Adoption Recommendation and Selection Decision form 250.
- Notification of the Adoption Selection Outcome letter form 260 at this [link](#)
- Adoption Placement Selection Notification form 272 at this [link](#).

## L. Disclosure of the child's information to adoptive families

In order to make a well informed decision, prospective adoptive parents need to have all available background information about a child. The child's caseworker and the family's adoption worker need to work together to be certain that accurate and up-to-date information about the child is given to the adoptive parents before the child's adoptive placement if the child is not already in the home for foster care or relative care.

## Sharing information with prospective adoptive families

### Procedure for the child's caseworker before adoption committee

The caseworker provides as much information as possible about the child to the family's adoption worker. The adoption worker uses this information to inform the potential adoptive family about the child. The caseworker:

- Protects confidentiality by removing identifying information from the documents below before sending them to the adoption worker. This includes all last names, birth and foster parent addresses and phone numbers, Social Security numbers, date of birth of all people except the child, names of schools and treatment providers and other information that can be used to identify the child, birth family or foster family.
- Provides the redacted information to the adoption worker that is accurate and balanced, including both positive and challenging aspects of the child. Documents include:
  1. The adoption child summary.
  2. Child development, psychological and other evaluations.

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3. Health information.
  4. Mental health information.
  5. School information
  6. Other documentation, such as the CANS evaluation, that will help the adoption worker and the adoptive family understand the child's needs.
- Clarify what information is unavailable or incomplete.
  - When general applicant families who do not know the child are being considered, the worker or foster parent is not to provide the families being considered with any visits or contact with the child before the adoption selection and department driven transition. Visits with a prospective family before an adoption selection and planned transition can undermine the child's success in a placement. Premature visits may cause complications when children may feel a sense of rejection if the family does not adopt them. In addition, children, applicants and community partners may develop expectations that a specific family was to become the adoptive resource with special rights not granted by policy or child-centered practice.

### **The caseworker's role if requesting the foster parent to talk with prospective adoptive families about the child**

At the explicit request of the caseworker, the child's foster parents may share information about the child with families that the caseworker has identified for adoption selection consideration. This is for the purpose of helping families have a more thorough understanding of the child's needs and the day-to-day responsibilities of caring for the child.

### **Procedure**

The caseworker:

- Decides if and how to include the foster parents in the information sharing process. If the foster parent is being considered along with others, the caseworker does not have other families contact the foster parents for information about the child, as the foster parent would be put in conflicting roles.
- Talks with the foster parent about how the foster parent can help provide valued information about the child to the adoptive family. Remind the foster family of the need to maintain the child's confidentiality regarding identifying information, such as the child's last name or school. Foster parents may also talk with the adoptive family after they have been selected by the agency before the beginning of the transition with the child. Remind the foster family that the child may only meet a recruited family with whom the child has no relationship after the family is selected by the agency. This meeting is to occur only as part of a planned transition that the caseworker coordinates with others to plan for the first meeting with the child.

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If a recruited non-relative prospective adoptive family that has no connection to the child is concerned about the child's special needs and wants to meet the child before the adoption selection process, respectfully tell the family that there are other ways of providing information to the family that will have the potential for less of an impact on the child. The worker can provide video of the child interacting with people they know and trust or engaging in a favorite activity. Some children have recruitment videos that can be shared with the prospective family. The caseworker wants to prevent inadvertently promoting fantasies about prospective families that lead to an unnecessary sense of loss if a particular family does not become the adoptive family.

- Participates in conference calls with foster parents, prospective adoptive families and adoption workers so that the caseworker is knowledgeable about what information the foster parent does share with the prospective adoptive family. The caseworker should not delegate to non-DHS staff the task of disclosure of child information to the prospective family, since the department has the responsibility to thoroughly share the information with the selected family at a level that is appropriate for their need to know.

### **Sharing information about the child after the agency has formally selected an adoptive family**

#### **Procedure**

After DHS has formally selected the adoptive family, the caseworker provides the adoption worker of the selected family with:

- A copy of information from the child's case file, including all of the documents listed on the CF 963, Required Information for Adoption Workers and Adoptive Parents.
- For a current caretaker adoption, the information listed on the CF 963 must be provided to the current caretaker before the adoption placement can be designated by Central Office. The current caretaker must sign the CF 963 upon receipt of the information.
- The child's Life Story Book or contents with narrative and photos.
- When a child is placed adoptively with a relative outside the United States, the child's important documents from the form CF 963 should be translated to the relative's language if the relative does not speak or read English well. Translation is also needed if the language of the country of the adoptive family is other than English so the child's service providers may read the child's information. Contact the Central Office Child Permanency Program for assistance with translation services so necessary information can be determined.

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## The supervisor's role

- Talk with the caseworker about notifying the CASA, child's attorney, tribal representative, RCWAC member, as applicable, of the adoption committee date, time and place.
- Assure that the worker maintains the confidentiality of the prospective adoptive families.
- Assure that the caseworker has supplied the family with the child's complete Life Story Book or the unassembled contents to be assembled by the family.
- Assure that the caseworker has provided the adoption worker of the family with the Required Information for Adoption Workers and Adoptive Parents form 963 materials for disclosure of the child information.
- Be aware of all of the steps in the adoption selection process and disclosure process when providing consultation with the caseworker engaged in the adoption selection process for a child in order to provide timely and accurate guidance.
- Contact the Central Office adoption placement specialist or their supervisor, for particularly challenging or complex cases. Small rural offices that rarely do adoptions are encouraged to contact the adoption placement specialist early in a process for additional assistance.

## Forms and references

### Legal references

### Oregon Revised Statutes

- ORS 7.211, Separate records in adoption cases; accessibility of records limited
- ORS 419B.035, Confidentiality of records
- ORS 419A.255, Maintenance; disclosure; providing transcript; exceptions to confidentiality

### Child Welfare policy

- [Procedures for Maintaining Confidentiality](#)
- Confidentiality of Client Information, [OAR 413-010-0000 to 0075](#)
- Release of Adoption Home Study Reports, [OAR 413-010-0081 to 0085](#)
- Adoption Placement Selection, [OAR 413-120-0000 to 0970](#)
- Adoption Applications, Adoption Home Studies, and Standards for Adoption, [OAR 413-120-0000 to 0970](#)

### Forms

- CF963, Required Information for Adoption Workers and Adoptive Parents
- Adoption Child Summary

### **M. Disclosure of information about adoptive families and release of adoption home studies**

Adoption home studies contain very comprehensive, personal and sensitive information about the adoptive family. Adoption home studies are released only in limited situations and to a limited number of participants in the adoption selection process. In order to be considered in an adoption selection process, adoptive applicants must sign an Authorization of Use and Disclosure of Information DHS 2099 form to have their adoption home study released. There are limited situations in which DHS may share or release a home study.

DHS receives adoption home studies from other public and private adoption agencies. The procedure also applies to the release of other agencies' adoption home studies for families identified to be presented at an adoption committee or considered in a caseworker selection process.

Consider these principles when carrying out the procedure to release adoption home studies:

- Children's needs are primary when considering adoptive families.
- Prospective adoptive families provide sensitive, personal information to their adoption workers who prepare adoption home studies. This information and the adoption home studies are confidential and should be released only as described in policy and procedure.

### **Release and review of adoption home study reports for adoption selection processes**

#### **Procedure**

This section discusses only release of prospective adoptive family home studies for the purposes of DHS adoption selection processes, but does not discuss other types of release in detail. An adoption home study may be released only under the following conditions for adoption selection process:

- To be considered as a potential adoptive resource, each applicant who is the subject of an adoption home study must provide a signed, valid release of information to consider the adoption home study in the adoption placement selection.
- When DHS considers information in addition to the adoption home study concerning a potential adoptive resource during the adoption placement selection, the adoption worker must:
  1. Notify the potential adoptive resource of the additional written information; and

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2. Have the potential adoptive resource sign a release of information for the additional written information to be considered in the adoption placement selection.
- The Child Permanency Program manager, at their discretion, may determine that any written information released must be a summary or redacted copy when:
    1. An individual who is a subject of the adoption home study or additional information has requested that information be redacted or summarized; or
    2. There is a conflict of interest as described in Child Welfare Policy I-G.1.3, Adoption Application, Home Study and Standards for Adoption, OAR 413-120-0222 at this [link](#).
  - Any written information released for selection consideration must:
    1. Be kept confidential by the recipients;
    2. Be used only for the purpose of making the recommendation and selection of a child's adoptive resource;
    3. Not be redisclosed verbally or in writing;
    4. Not be copied; and
    5. Be returned to the department when the adoption placement selection has been made.

### **Family release for an adoption home study**

An adoptive family who is the subject of the home study reviews and signs the completed adoption home study for accuracy. For circumstances in which a DHS adoption home study may be released for reasons other than a DHS adoption selection process, please see I-G.1.3, Adoption Applications, Adoption Home Studies and Standards for Adoption in the section titled, Standards for an Adoptive Home and Release of an Adoption Home Study, OAR 413-120-0246 at this [link](#).

### **Redaction or summarization of a home study**

#### **Procedure**

In the process of adoption selection, the caseworker or adoption worker may encounter circumstances in which release of an adoption home study may be inappropriate and a redacted study or summary is authorized. In very infrequent circumstances, protection of confidential information can be achieved through redaction or summarization. In these situations, the interest in protecting information in the adoption home study is weighed along with the benefits of a release of a redacted home study. The Central Office Child Permanency Program manager is responsible for determining whether a home study is summarized or redacted when:

- An individual who is a subject of the adoption home study or additional information has requested that information be redacted or summarized; or

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- There is a conflict of interest as described in Child Welfare Policy I-G.1.3, Adoption Application, Home Study and Standards for Adoption, OAR 413-120-0222 at this [link](#).

To obtain permission for redaction or a summarized home study:

- The adoption worker or caseworker requests authorization from the Central Office Child Permanency Program manager.
- The adoptions manager or designee will inform the field office staff of the decision.

### Redaction of a home study

The worker should understand the circumstances for redaction of a home study as described directly above. When the Child Permanency Program manager decides a home study is to be redacted for the adoption selection process, the caseworker and adoption worker cooperate to identify who will do the redaction. The redacting worker:

- Identifies the reasons for the redaction or summarization to target what information needs to be redacted or summarized.
- Prepares a copy of the adoption home study with information removed. Redacts information to ensure that the prospective adoptive family cannot be identified as result of the release of the adoption home study. This may include:
  - a. Identities of references
  - b. Names of schools, businesses, or other places or information that could help identify a person who provided third party information for the assessment
  - c. Dates of birth
  - d. Last names of persons
  - e. Addresses
  - f. Personal identification numbers
  - g. Telephone numbers
  - h. Personal information that would likely embarrass members of the prospective adoptive family if the identity of the family became known
  - i. Other information that could be used to identify a person, such as a job title, nickname, ceremonial title, a well-known achievement or subject of notoriety
- Retains the original redacted version of the adoption home study. If the worker uses a black pen or whiteout to conceal information, make a copy to present to the family so that the information is fully concealed.
- If the family requests, makes a copy of the summarized or redacted adoption home study available to the family within a reasonable time for the family to review. The adoption worker should be available to the family during or after the reading of the adoption home study to answer questions and receive feedback. If the adoption worker is not the person receiving feedback from the family, ensure the feedback is given to the adoption worker.

### **Summarization of a home study**

The involved workers should understand the circumstances described above in which a home study may be summarized for adoption selection purposes. When the Child Permanency Program manager decides a home study is to be summarized for the adoption selection process the adoption worker or their supervisor usually write the summary. The summarizing writer may wish to request a supervisor, paralegal or colleague to proofread the study to ensure the reasons for summarization were addressed.

### **The supervisor's role**

- Ensure the worker follows the timelines for adoption selection process invitations and notifications before and after the scheduled selection process. This can trigger requests by child's team members for home studies. Be available for consultation regarding the abilities and limits to sharing home studies and other family information for adoption selection based on DHS policy.
- Ensure the worker is aware of the conditions under which an adoption home study may be released if there is a request for an adoption home study for circumstances other than as part of an adoption selection process described in I-G.1.5, Adoption Placement Selection.
- Provide consultation and direction to the caseworker regarding the need to contact an assistant attorney general for advice if the caseworker receives a court order to release a home study in circumstances other than described in this procedure and DHS policy.
- Talk with the caseworker about consulting with Child Permanency Program staff in complex cases.
- If applicable, ensure that the adoption home study is redacted or summarized according to DHS procedure and policy.
- Staff with the worker if there are requests for release of the adoption home study outside DHS procedure and policy. Consult with the assistant attorney general if there is a court order to release an adoption home study outside the scope of DHS policy and procedure.

### **Forms and references**

#### **Legal references**

- Indian Child Welfare Act, 25 USC sections 1901-1935 (1978)
- ORS 419A.170 regarding the CASA as a party and advocate for the child.

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## Policies

- Adoption Placement Selection, [OAR 413-120-0000 to 0970](#) Adoption Applications, Adoption Home Studies, and Standards for Adoption, [OAR 413-120-0000 to 0970](#)
- Release of Adoption Home Study Reports, [OAR 413-010-0081 to 0085](#)

## Forms

- DHS 2099, Authorization for Use and Disclosure of Information  
[http://dhsresources.hr.state.or.us/WORD\\_DOCS/DE2099.doc](http://dhsresources.hr.state.or.us/WORD_DOCS/DE2099.doc)

## N. The role of the adoption worker in the selection process

The adoption worker is responsible for discussing with the family the important information about the child. They also discuss the family's characteristics regarding possible compatibility with the child's caseworker and may verbally present the adoptive family to the adoption committee. Usually, the adoption worker learns about the family through the adoption assessment or foster certification process and has written the family's home study. The adoption worker should know the family well and be able to describe the family's skills, interests, desires and abilities to parent and meet a specific child's special needs. If the adoption worker did not write the home study, it is imperative that they are very familiar with the family.

## Disclosure and discussion with the family about the child's information

The adoption worker is responsible for assisting the family in understanding and processing information from the caseworker about the child at different stages in the consideration process. The adoption worker provides guidance and support to the family as they assess their own capacity to meet the child's long-term needs. The adoption worker's primary focus is always the child's long-term well-being.

## Procedure

Before the selection process, the adoption worker:

- Talks with the family to provide information about the child.
- Obtains from the child's caseworker information that will assist the family in understanding the needs of the child. This includes the child summary, mental/physical health evaluations, early intervention evaluations, developmental evaluations, academic information and any other documentation that portrays the child's strengths, interests, desires and challenges.
- Ensures that all identifying information about the child has been redacted, which is typically

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done by staff in the child's office. Last name, address, name of school, name of foster parent, foster parent's address and phone number, etc., must be removed before providing the child's information to the prospective adoptive family.

- Interviews the child's foster parent, therapist and others involved with the child if given permission by the child's caseworker.
- Encourages the family to research and identify resources realistically available to them to meet the child's needs.
- Only if approved of and arranged by the caseworker, participates with the family on a conference call with the child's foster parent and caseworker.
- Converses with the family about the child's current and projected long-term needs and how they see themselves addressing those needs. Ask about their plans for day care, after school plans, work schedules and respite care.
- Assists the family in forming realistic expectations regarding the child's transition and integration into their household.
- Explores how immediate and extended family members will adjust to the child.
- Discusses safety issues with the family.
- Discusses with the family their willingness to maintain the child's future contact with birth parents, siblings, extended birth family members and former care providers.
- Explores the family's questions and follows up with the child's caseworker.
- Asks the family to prepare a photo album of themselves and their home to be shared with the committee. If they are selected, this album will also be shared with the child. The album should be child friendly and focused on the child as the reader. Pages can be added after the child is transitioned as a member of the family.
- Explains to the family the role and purpose of the adoption selection process. Helps the family understand that adoptive placement decisions are based on the best interest and needs of the child. While they may be an exceptional family, they may not be the family selected for a particular child. If they are not determined to be the most appropriate family for a particular child, help the family understand this is not a negative reflection upon their family, but about the matching needs of the child. The adoption worker does not share information about the other families considered in the selection process, as that is confidential.

### **Adoption worker presentation at adoption committee**

Committees are usually scheduled for approximately three hours, allowing approximately 20 minutes each for the presentation of the adoptive families. Presentations should be candid, objective and informative. An option for preparation is to use the Family Worker's Presentation of Family for Adoption Committee form 258. The presenting adoption family's worker may use it to outline the verbal presentation of family information for adoption committee. Find the form at this [link](#).

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## **Procedure**

- Be as informed as possible regarding the child's needs. Maintain the perspective that the child's best interest is paramount.
- Be prepared to bring the family to life for those attending.
- Provide a balanced presentation:
  1. Explain how the family would be capable, or not, of meeting the child's specific needs.
  2. Discuss what they have done to prepare and educate themselves for the child and ways that they have demonstrated a strong interest in and commitment to the child.
  3. Avoid focusing on restating the bulk of the home study or other materials about the family. Focus on updated information that is not included in the home study.
  4. Discuss the types of discipline the family anticipates needing to use and how the family will deal with behavioral problems and the thoughts and feelings children may have due to their history of abuse and neglect.
  5. Discuss what the family has done to explore local resources on behalf of the child in the event they are selected as the child's family.
  6. Discuss how the family would integrate the child into their family as a member, especially if there are children in the home.
  7. Be clear about the family's support system and their plan for dealing with the inevitable crises that arise in families.
  8. Inform the committee of the level of contact (if any) that has occurred between the family and the foster parent or the child.
- Anticipate areas where the committee may have questions and be prepared to address these. Issues may include prior allegations of abuse or neglect, bankruptcy, multiple marriages, history of being abused as a child, spanking of their birth children, criminal history and resolution of infertility. It is acceptable for the adoption worker to state that they do not know specific information, which is preferable to uninformed speculation.
- Avoid presenting the family as being the best match because they are a specific religion. As applicable, discuss their involvement in their spiritual community, how they hope to involve the child spiritually, their specific values and how they see their religion or spiritual practices influencing their discipline and parenting.
- Distribute the family's album for viewing by ADS, committee members, CASA, child's attorney, tribal representative and RCWAC member.
- Remain until the committee meeting has concluded.

## Adoption worker follow up after the adoption committee

### **Procedure**

- Maintain confidentiality and do not share information about the other families presented at committee.
- Notify the family of the committee's decision in two ways:
  1. Contact the family as soon as possible about the results so that they have a sense of personal contact. This is usually by phone so that the worker can be direct and engaged with the family.
  2. Send them the 260 Notification of the Adoption Selection Outcome letter. It provides written notification to families of the selection decision after caseworker or ADS selection process. The caseworker is responsible for sending the letter to considered families not studied by DHS. DHS certification/adoption workers who presented families are responsible for sending letters to families studied by DHS. As is good practice, workers are also responsible for engaged, direct verbal communication with families after the selection process. Find the form at this [link](#).
- If the family was selected:
  1. Inform them of any additional information about the child that may not have already been shared.
  2. Coordinate with the child's caseworker regarding the development of the transition plan.
- If the family was not selected as the first choice, but was selected as the backup family:
  1. Verify they wish to be available for placement consideration if that becomes necessary.
  2. If appropriate and relevant, share feedback from the committee regarding the family's strengths and/or areas that may warrant attention.
- If the family was not selected as a backup family, talk with them sensitively to help them understand their strengths and potential areas that they may want to address or explore further, if relevant.
- If there are questions about the review process of the adoption selection, refer to Chapter 5, Section 5, "Adoption selection review process" for additional information.

### **O. Adoption selection review process**

There are specific circumstances and avenues through which an adoption selection decision may be reviewed. The following procedures outline the request and review process if a review is granted. See the Adoption Placement Selection I-G.1.5 policy for more details at this [link](#).

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There are two routes to initiate a review of an adoption selection process:

- The director of Child Welfare Programs or designee at their discretion and initiative may review adoption selection processes and decisions.
- A request for review of the process or decision made through the adoption placement selection must be in writing and received by the Child Permanency Program manager or designee within seven calendar days of the notifications under:
  1. OAR 413-120-0021(12)-(13) of the adoption placement selection process by caseworker, or
  2. OAR 413-120-0057(2) (b) after the decision by the ADS through a committee process.

Administrative rule allows for specific types of individuals who can request a review and only in specific types of cases. The period in which a review may be requested is limited.

### People who may request a review

Each of the following individuals may request a review of the process and the adoption placement selection under OAR 413-120-0021(10) or 413-120-0057(1), except when each potential adoptive resource was a general applicant:

- a. The child.
- b. The child's attorney.
- c. The CASA.
- d. A tribal representative.
- e. A member of the RCWAC.
- f. The child's caseworker, with the approval of the caseworker's supervisor and the CWPMr or designee.
- g. A relative or current caretaker who was considered as the adoptive resource but was not selected.

In addition to those noted above, the director of Child Welfare Programs or designee may, on their initiative and without a request for a review, give notice of intent to review the adoption placement selection. This is possible when the director or designee decides to review within seven calendar days following the date of the notice of the adoption placement selection in:

- OAR 413-120-0021(12)-(13) for caseworker selection process or
- OAR 413-120-0057(2)(b) for decision by ADS in an adoption committee process.

### People who may not request a review

- Any person other than those listed directly above in this procedure;
- A general applicant who is considered but not selected by an adoption committee; or

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- A DHS employee, other than the child's caseworker and the director of Child Welfare Programs or designee.

### **Timeframe in which a review may be requested**

A request for review of the process or decision regarding the agency's adoption placement decision must be in writing. Specific individuals allowed to request a review must send the request so that it is received by the Child Permanency Program manager or designee within seven calendar days of the date of the last written notification of the adoption placement selection:

- For caseworker selection, based the date on which the department sent the written notification of the adoption placement selection to the CASA, child's attorney, tribal representative or member of the RCWAC and when the written notification form approved by the department was sent to each identified potential adoptive resource. These notifications must be done by the end of the next business day following the caseworker's selection decision.
- For adoption committee selection, based on the latest date of the following process: after the ADS sends the written notification of the decision to the caseworker, adoption workers, and facilitator by the end of the next business day following the scheduled committee; following the notice from the ADS, the agency must send written notice by the end of the next business day to the families who were consider at the adoption committee and to the child's attorney, CASA, tribal representative and member of the RCWAC.

### **Caseworker request for a review**

#### **Procedure**

- If the caseworker does not agree with the ADS's decision after the adoption committee and wishes to request a review, the worker discusses the case with their supervisor and CWPM.
- If the CWPM or designee agrees that a review should occur, they submit a request for a review of the decision to the director of Child Welfare Programs or their designee. The request must be in writing and clearly state the concerns and the reasons for the request to the Child Permanency Program manager.
- Keep in mind the deadline by which the request must be received by the Child Permanency Program manager. Since the timeline is so short, fax or email is recommended. Send a courtesy copy email to the assistant manager of the Child Permanency Program and the adoption placement specialist in Central Office.

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### **Notification of receipt of a review**

When a request for review has been received, the Child Permanency Program manager or designee must:

- Notify the director of Child Welfare Programs or designee and
- Send written notice of the request to the following as applicable:
  1. Each of the potential adoptive resources considered by selection process;
  2. The caseworker;
  3. The adoption workers for each family considered;
  4. The supervisors of the workers;
  5. The child's attorney;
  6. The child's CASA;
  7. The tribal representative;
  8. The member of the RCWAC, if the child is a refugee child; and
  9. The local CWPM for each worker.

### **Caseworker responsibilities while administrator determines whether there will be a review**

If there is a request for review, the caseworker may need to provide information to Central Office staff. Be prepared to provide information about the following:

1. The selection process of the committee; questions may include observations regarding facilitation, management and professionalism of the committee participants, presenters or ADS.
2. The caseworker's preparation before the selection process.
3. The caseworker's ability and the adoption workers' ability to provide needed information to the committee, including case history, diligent relative search, working with relatives, legal history, ICWA status, the child's needs, appropriateness of the families for the child, safety concerns, the child's attachment history, sibling issues, recruitment, visits, openness, disclosure, mediation and adoption assistance.

### **Timeframe after a request for review for administrator decision whether to review**

The director of Child Welfare Programs or designee must decide whether to grant a review of the adoption placement selection within 14 calendar days after the notice of the adoption placement selection according to the notices below based on selection process. Written notice of the decision as to whether to conduct a review must be sent to the CASA, child's attorney, tribal representative,

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RCWAC member, prospective adoptive families considered in the selection process and their adoption workers, the child's caseworker and the supervisor and Child Permanency Program manager for each worker. This written notice is not required to be provided within the 14-calendar-day timeline for the decision as to whether to grant a review. Involved workers should remind considered families and community partners of this so that they do not expect to receive the notice by the 14th day.

For a review request regarding an adoption committee, based on the latest date of the following process: after the ADS sends the written notification of the decision to the caseworker, adoption workers, and facilitator by the end of the next business day following the scheduled committee; following the notice from the ADS, the agency must send written notice by the end of the next business day to the families who were consider at the adoption committee and to the child's attorney, CASA, tribal representative and member of the RCWAC.

### **Review decision options**

If the director or designee receives a request for a review, they decide:

- Whether to review the adoption selection decision or process.
- If the decision is to review, how the review will be conducted. There are three methods.  
The director or designee:
  1. Personally conducts a review of information considered in making the adoption placement selection and may consider additional, relevant information about the child or potential adoptive resource.
  2. Refers the adoption placement selection to a review committee appointed by and at the discretion of the director or designee.
  3. Appoints another individual to conduct the review.
- If there is a review by a review committee or an appointed individual, the review process is to:
  1. Review the information considered in making the original adoption placement selection;
  2. Consider additional relevant information about the child or potential adoptive resources; and
  3. Issue a recommendation that the director or designee affirm or modify the original adoption placement selection of the caseworker or the ADS or recommend a different adoption placement selection.

### Caseworker and adoption worker responsibilities in the review process

#### **Procedure**

In the case of a review, the caseworker and adoption worker are to:

- Provide any additional information to Central Office Child Permanency Program when requested. This may include information about the child or families that is included in the packet for committee members if there is to be a review committee.
- Be as flexible as possible to be available for the review committee meeting to hasten the time by which the final decision can be made.
- Prepare to present information about the child and/or families if a committee conducts the review. The review committee meeting activities are similar to the order of presentations at an adoption committee.
- Be aware of the decision making process for a review. The director or designee makes the agency's final decision. If the review committee or an appointed individual conducts the review, these entities are charged with giving the director or designee recommendations, but are not responsible for the final decision. Therefore, sharing of the review committee recommendations with those outside the review process is premature. Families or community partners may have inaccurate expectations if given premature information about the committee recommendations if the director or designee has not made the final decision.
- Ask the Central Office Child Permanency Program's adoption placement specialist or assistant manager questions about the review process.
- For the caseworker only, invite the CASA, child's attorney, tribal representative and RCWAC member to the review. Inform them of the date, time and place if a review committee is the identified review method. They may be available by phone or in person. They may also send a letter to the review committee through the caseworker if they would prefer to not attend or are not available. Invite others to present relevant information about the child. Foster families may not present information about the child if they are being considered for selection or if they are personal advocates for a family being considered.

#### **Notice of the agency's decision after the review**

After the review of the agency's adoption selection decision, the director or designee must send written notice of either the affirmation of the original decision or a new decision to the following individuals as applicable:

- Each of the potential adoptive resources considered by the caseworker or adoption committee and ADS;
- The child's caseworker;

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- The adoption worker for each of the potential adoptive resources considered;
- The supervisors of the caseworker and adoption workers;
- The child's attorney;
- The child's CASA;
- The tribal representative;
- The member of the RCWAC; and
- The CWPM for the caseworker and the department adoption worker.

As a courtesy, share the information with the facilitator of the original committee and ADS. If there was a review committee with a new facilitator, share the information with the review facilitator.

There is no required timeframe by which a review must be conducted or by which notifications must be provided. Each case is unique and multiple factors impact the review process. Central office staff members work on behalf of the child and waiting families to make the process go as quickly as possible.

With Central Office coordination, DHS field staff may be involved in providing the final decision to the family or families who were considered in the review process. This is usually by letter along with the caseworker or an adoption worker personally delivering the letter to be available for communication with the family that requested the review. If the family resides out-of-state, the field staff may be asked to contact the family by phone. The requester who receives notification from the local office staff also receives a copy in the mail.

### **Director option for review**

Apart from the types of cases and specific individuals who can request a review as listed above in this chapter's subsection on the review process, the director of Child Welfare Programs may reconsider a decision and require a review. This rule can be found in OAR 413-120-0060 Review of the Adoption Placement Selection, subsection (3). The director has discretion to decide that there will be a review when the following conditions exist:

- The time to request a review has expired for a caseworker selection or for an ADS decision after an adoption committee;
- There is no request for review pending; and
- The deadline set by statute for a person entitled to seek judicial review of an adoption placement selection entered under the rule has not expired.

### **Review decision is final**

The adoption placement selection made by the director of Child Welfare Programs or designee is final and does not qualify for a contested case hearing through the department. Additional review may be available through the court system.

## **Procedure**

### **The supervisor's role**

- If the caseworker wishes to request a review of the adoption selection decision or process, review the process with the caseworker and CWPM or designee. If a review appears to be in the child's best interests, approve the request.
- Ensure the caseworker provides adequate documentation and information to the review process, if applicable.
- As needed, consult about the review process with the Central Office Child Permanency Program adoption placement specialist or assistant manager.

### **Forms and references**

#### **Legal references**

- ORS 183

#### **DHS policy**

- Adoption Placement Selection, [OAR 413-120-0000 to 0970](#)

#### **Forms**

- Notification of the Adoption Selection Outcome 260 at this [link](#).
- Required Information for Adoption Workers and Adoptive Parents 963 at this [link](#) in pdf format.

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