

Policy Title:	Designation of Placement for the Purpose of Adoption – Policy		
Policy Number:	I-G.1.9		Effective Date: 2-26-2007

Approved By: *on file*

Date Approved:

Policy

Forms, etc.

Definitions

References

Contact

Reference(s):

- ORS 418.270 - 418.285
- ORS 109.096 (3)
- Child Welfare Policy I-A.4.3, Identifying Legally Recognizable Parental Relationships
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a43.pdf
- Child Welfare Policy I-E.2.1, Placement of Indian Children
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e21.pdf
- Child Welfare Policy I-F.5, Legal Risk Placements
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-f5.pdf
- Child Welfare Policy I-G.1.5, Adoption Placement Selection
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g15.pdf

Form(s) that apply:

- CF 246, Genetic and Medical History of Child and Biological Family
<http://dhsforms.hr.state.or.us/Forms/Served/CE0246.pdf>
- CF 250, Adoption Selection Report
- CF 251, Current Caretaker Consideration Report
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0251.doc
- CF 421, Adoption Child Summary - Narrative
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0421.doc
- CF 423, Adoptive Placement Needs
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0423.doc
- CF 424, Legal Assistance Referral - Narrative
<http://dhsforms.hr.state.or.us/Forms/Served/CE0424.pdf>
- CF 963, Required Information for Adoption Workers and Adoptive Parents (*Recycle old stock!*)
- CF 1005, "Voluntary Custody Agreement"
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1005.doc
- CF 1270, Verification of ICWA Eligibility
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1270.doc

Policy:

Purpose

This policy provides guidelines for early identification of a permanent and legally secure adoptive placement for a child, for assuring that DHS makes reasonable efforts to finalize the permanency plan of adoption, and for assuring that DHS does not delay or deny placements on the basis of the physical location, race, color, or national origin of the child or an *approved family*.

Definitions

(1) **“Approved Family”** is a family that has been selected for a child in accord with CAF Policy I-G.1.5, Adoption Placement Selection.

(2) **“Designation of a Child's Adoptive Placement”** is the date the central office Adoption Services Unit declares the child to be in an official adoptive placement.

(3) **“Jurisdiction of the State of Oregon”** means within the State of Oregon but does not include the jurisdiction of any Indian Tribe.

(4) **“Legal Risk Placement”** means a placement made in a case when DHS:

(a) Believes that an adoption is in the best interest of the child;

(b) Has made a formal decision to take action to free the child for adoption;

(c) Places the child in an approved adoptive home before the child is legally free for adoption;

(d) Intends to approve this placement for adoption if the child becomes legally free for adoption; and

(e) The central office Adoption Services Unit has reviewed and approved the plan and has officially designated the placement as a *Legal Risk Placement*.

(5) **“Placement for the Purpose of Adoption”** means a *legal risk placement* or an adoptive placement.

(6) **“Stanley-Type Putative Father”** means a biological father of a child who has never legally established paternity but who has assumed the responsibilities normally associated with parenthood (e.g., has lived with the child, financially supported the child, established significant psychological ties to the child) and has legal standing in the child’s case. A *Stanley-Type Putative Father* has rights to notice and services equal to those of a legal father. (Stanley vs. Illinois, U.S. Supreme Court).

Values

Timely designation speeds permanency for children and protects children from disruption in their placements.

Policy

Reasonable Efforts Towards Adoption

DHS shall make reasonable efforts to place a child in a timely manner in accordance with the permanency plan and to complete the required and necessary steps to finalize the permanent placement of the child. In the case of a child for whom the permanency plan is adoption, the worker shall document in the permanency plan the steps DHS is taking to find an adoptive family for the child, to place the child with an adoptive family, and to finalize the adoption, including completing the procedural steps to designate the *placement for the purpose of adoption*.

Delay Or Denial Of Placement Prohibited

(1) DHS shall not delay or deny placement of a child for adoption on the basis of the race, color, or national origin of the adoptive parent or the child involved.

(2) DHS shall not delay or deny placement of a child for adoption when an *approved family* is available outside the *jurisdiction of the State of Oregon*.

Designation Of Placement For Purpose Of Adoption

(1) In order for the placement to be designated a *placement for the purpose of adoption* (which includes two categories: the designation of a *legal risk placement* (in accordance with OAR 413-110-0020) or the designation of an adoptive placement), the worker shall submit the following documents to the central office Permanency and Adoption Unit:

(a) "Adoption Child Summary", (as instructed by Recording Guide) CF 421;

(b) Original CF 1270 (Verification of ICWA Eligibility) for mother, legal father and *Stanley-type putative father*;

(c) "Genetic and Medical History of Child and Biological Family", CF 246;

(d) Original birth certificate for the child;

(e) "Current Caretaker Report", form CF 251 (both preliminary and final reports); "Adoption Selection Report," CF250; or written documentation specifying the tribe's adoptive placement choice when the Indian Child Welfare Act placement preferences apply;

(f) Completed adoption home study;

(g) "Adoptive Placement Needs", CF 423; and

(h) Placement memo stating child's name, adoptive parents' name and date placed, if applicable (not required for current caretaker placements).

(i) Voluntary relinquishments if applicable;

(j) Termination of parental rights and permanent commitment orders, if applicable; and

(k) Interstate Compact Form CF 100A if applicable.

(2) The DHS Adoption Services Unit shall designate the placement as an adoptive placement when all documents cited in (a) - (k) are received and accepted by the central office Adoption Services Unit and the child is residing in the adoptive placement.

(3) When an adoptive placement requires that the child be physically moved from a current caretaker placement to an *approved family*, the child's worker shall not move the child until the documents (a) - (g) and (i) - (k) are received and accepted by the central office Permanency and Adoption Unit. The child's worker shall not transition the child into an approved placement, including sharing family information with the child, until the time period for Notice of Intent to Review has elapsed; the Director has approved written authorization waiving his/her right to review the adoption committee's decision as provided in OAR 413-120-0070 (4)(c); or if a Review is conducted, until the Review is completed, as provided in OAR 413-120-0070. If the placement is an interstate placement, all requirements of the Interstate Compact on Placement of Children shall be met before the child is moved into the adoptive placement and if the child is a *legal risk placement* in accordance with OAR 413-110-0020. If the out-of-state adoption is private, DHS must have a signed contract with the placing agency in the receiving state and establish medical coverage for the child in the receiving state.

(4) In the rare case when an infant is placed for adoption directly from the hospital and the worker cannot reasonably complete the documentation in (a) - (k) prior to the placement, DHS shall certify the adoptive family as a foster home. The placement will be considered a placement for the purpose of foster care, not adoption, until the documentation is in the central office Permanency and Adoption Unit file.

(5) The designation date of the child's selected adoptive home (non current caretaker) as a *legal risk placement* or as an *approved family* for adoptive placement is the date the child is physically placed in the selected home or the date the Adoption Services Unit receives and accepts all applicable documents whichever date is later.

(6) Only the central office Permanency and Adoption Unit shall designate a *placement for the purpose of adoption*. The central office Permanency and Adoption Unit shall send written notice to the child's worker and the DHS adoption worker when a placement is designated as an adoptive placement. The designation date shall be used in all references to the adoptive placement.

Contact(s):

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