



Series: 100: Case Management
Policy Name: Long Term Caregiver Adoption
Policy Number: 127
Origination Date: 11/1/2013

Revision Date: 02/24/2021

Policy: To provide policy guidance and best practice when a case is closed as long-term relative custody or guardianship, no TPR was obtained prior to closure and the family contacts the agency requesting assistance in adopting the children in their custody.

Procedure:

A family may contact the court or agency about adoption many months or years after the court terminated the Department's supervision of the children in their custody and the court retained jurisdiction of the court case.

If the family contacts the agency first, best practice dictates that a case manager and adoption counselor have a discussion with the family to assess if adoption is feasible—explaining the background check requirements and termination of parental rights proceedings. The family must be told that only cases that involve voluntary relinquishments by the parents or when the whereabouts of the parents are unknown and therefore abandonment is the basis for TPR will be reopened. In addition, all current laws and court orders that apply, will be adhered to.

If the family wants to proceed, agency staff must refer them to the court to file a petition or pro se motion requesting the court case be taken out of administrative suspense, supervision re-opened, and the case plan goal changed to adoption.

If the court agrees to take the court case out of administrative suspense, the court shall set a hearing with notice given to the parents, CBC agency and DCF by the court/clerk or court facilitator. If the parents appear and indicate a willingness to consent to TPR, the court may issue an order with a finding that the circumstances of the permanency goal are no longer in the best interest of the child, reinstate supervision by the CBC/DCF and, change the case plan goal to adoption. The department should be directed to file an adoption case plan and a TPR petition on the grounds of voluntary relinquishment.

When the whereabouts of the parents are unknown, the court should issue an order with a finding that the circumstances of the permanency goal are on longer in the best interest of the child, reinstate supervision by the CBC/DCF, and change the case plan goal to adoption. The department should be directed to file an adoption case plan and a TPR petition on the grounds of abandonment.

When the parents appear at the hearing and state they will contest the TPR, the court shall place the court case back under administrative suspense and reaffirm the case plan goal of permanent guardianship. No further action by CBC/DCF is required.

If the court orders that supervision be reinstated and the case plan goal changed to adoption, monthly contacts with the child and relative caregiver are required. An assessment of the current and future needs of the child, current circumstances of the family, including any present or future services, will assist in completing the required child study and home study. Adoptive parent training is not required for relatives but an assessment of whether



any of the training materials would be beneficial information should be conducted. If deemed beneficial, the family may be required to complete an adoption training class.

Casework activities will be conducted as with any relative placement where the department is planning to file a petition to terminate parental rights and will be awarded permanent commitment of the children for the purpose of adoption by the relative.

At the time TPR is granted, the final judgment should permanently commit the child to the department for the purpose of adoption and placement of the child will remain with the relative. An approved adoption homestudy is required.

All special needs children for whom the caregivers request maintenance adoption subsidy as a result of this process, must have adoption subsidy eligibility processed through FSFN and an adoption subsidy agreement signed by all parties prior to finalization.

Documentation in FSFN:

1. The original case is reopened with a living arrangement with the long-term relative until permanent commitment is awarded to the department at the time TPR is granted
2. A Case Plan is created with a goal of adoption
3. Monthly home visits must be documented for each child
4. The TPR petition filing date must be documented
5. The TPR dates for both parents must be documented by CLS (Judicial Review required if TPR is not timely)
6. The TPR granted all/permanent commitment must be documented by CLS
7. At the time the TPR is granted, a removal is documented and the Manner of Removal, reasons for removal & removed from information is input to match the original removal of the child; the date of removal used is the date the TPR was granted by the court.
8. A Relative Home study must be documented in FSFN
9. The FSFN placement page reflects the same drop-down choices as the original placement with the long-term caregiver.
10. A Child Study must be documented
11. An Adoptive Home study must be documented by updating the relative caregiver home study
12. Eligibility for the subsidy request must be determined
13. Service Type is changed to "Adoption" with a placement setting of "pre-adoptive home".
14. Removal/Placement Ending with Ending Purpose of "Discharge from Removal Episode" with Ending Reason as "adoption finalization" and Discharge Reason as "adoption".



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