


Category:

	Policy Title:	Adoption Committee Policy			
	Policy Number:	Post-Custody Policy 003	Version:	2	Effective Date:

Approved By: YFS Operations Team

Date: 07/6/2020

Overview

Description: The Adoption Committee policy seeks to provide instruction around the way in which permanent placements and financial supports are determined and approved for children served by the Department of Social Services-Youth & Family Services Division (DSS-YFS) who have been legally cleared for adoption.

Purpose/Rationale:

Adoption is the method provided by law to establish the legal relationship of the parent and child between persons who are not so related by birth, with the same mutual rights and obligations that exist between children and their birth parent. The primary purpose of adoption is to help children whose parents are incapable of assuming or continuing parental responsibilities to legally become part of a new permanent family. Agencies providing adoption services are charged with establishing permanence for children.


The adoption committee may have several purposes. One is to confirm the adoptive placement with caregivers with whom the child presently resides or adoption by a family already selected with whom the child has significant attachments. Another purpose is the selection of an adoptive home for a child from among those families who have shown an interest in adopting the child. **There is no need to delay a committee meeting until there are several families to consider for a child's placement as long as at least one family has been identified.**

Additionally, the adoption selection committee procedures are intended to protect the confidentiality of the prospective adoptive families under consideration.

Applicability: Frontline and supervisory from post custody child welfare services area; Senior Social Services Managers; Director & Deputy Director(s).

Definition(s):

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Failure to Comply: Failure to comply with this policy can result in lack of timely permanence for youth in care.

Policy:

Adoption Committee meetings must be scheduled, completed, and documented in accordance with the procedures outlined below.

Procedure(s) that apply:


Adoption is the permanent plan offering the most stability to the child who cannot return to the parents. Factors to consider include whether the child is likely to return home and whether the child can be freed for adoption. For the child to be adopted, both parents must voluntarily relinquish their parental rights, or their parental rights must be terminated by the court. Adoption by relatives or kin must be considered if the relative or kin are willing to adopt and can provide a safe home.

Relative notification must be an ongoing process. Documentation must include the agency’s ongoing efforts to locate and notify relatives.

Prior to scheduling a case for review by the adoption committee, the following must be completed and documented: the current placement provider must be asked if he/she/they desire to adopt the child, and if so, he/she/they must be considered; each prospective adoptive family must have a current approved home study; and all Indian Child Welfare Act (ICWA) and Multi-ethnic Placement Act (MEPA) considerations must be satisfied.

Once these tasks are completed, the adoptions social worker shall schedule the case for review by the adoption committee. The adoptions social worker shall give ten (10) calendar days written notice of the meeting to the foster care/permanency planning social worker and/or supervisor and the Guardian *ad Litem* Program. Said notice shall include the adoptions social worker’s name and telephone number. If the guardian *ad litem* desires to review the prospective adoptive families’ home studies prior to the adoption committee meeting, he/she must contact the adoptions social worker at least seven (7) business days prior to the meeting to arrange for a time to review the documents at DSS/YFS. The contents of the home studies shall be kept confidential, and no copies can be made by any means whatsoever, including, but not limited to, taking photographs.

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At the outset of the adoption committee meeting, everyone who is present shall be required to sign a document noting their attendance and agreeing to keep confidential the information they learn during the meeting.

The Agency Adoption Committee must have a minimum of three members, including an agency representative in a management position in children's services, the child's social worker (s) responsible for placement (Permanency Planning social worker) and adoption functions of the child's case (Adoption social worker), and an at-large member selected by the agency. The guardian ad litem will be invited to provide input but shall not vote on the decision.

The adoptions program manager or her/his designee shall maintain a list of vetted at-large members, who are willing to serve in this role. At-large members will be rotated in order to maximize their involvement.


The adoption committee will meet once per week as necessary.

When selecting an adoptive family, the following criteria should be used:

- The family's ability to meet the physical, emotional, and mental needs of the child;
- The compatibility between the child's personal characteristics and the expectations of all members of the adoptive family;
- The specific experiences and/or training the family has had that prepares them to provide for the special needs the child may have;
- The resources in the family's community that are available to meet the child's special needs;
- The degree to which the family is willing to initiate and participate in medical and/or therapeutic treatment, if the child is in need; and
- The degree to which the family can accept the child's need for contact with siblings, other birth and foster family members, and/or if such need is indicated.¹

¹ See NCDHHS-DSS, Adoptions in Child Welfare, Participant Workbook, July 2019, Page 73.

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- If the child is already living in the home of the foster parents or relatives , strong consideration should be given to placement with these persons, taking into account the length of time the child has been in the home, the depth and degree of bonding that has occurred, and the child’s ability to move from the home and form satisfactory attachments in another home and with another family. **Unless it can be clearly documented that placement with the current caretakers is contrary to the child's welfare and best interests, this should be the first consideration for adoption.**²

DSS/YFS shall notify the child’s guardian *ad litem* and current placement provider of the selection of the adoptive family within ten (10) days of selection and before filing the adoption petition.³

If the guardian *ad litem* disagrees or if the current placement provider wants to adopt the child but was not selected, the guardian *ad litem* or the current placement provider may file a [motion for judicial review](#) within ten (10) days of the notification from DSS/YFS and schedule the motion for hearing on the next juvenile calendar. DSS/YFS shall provide a copy of a motion for judicial review of adoption selection to the current placement provider if the placement provider was not selected; however, it is the placement provider’s responsibility to complete and file the motion.

DSS/YFS cannot change the child’s placement to that of the prospective adoptive family unless the time to file the motion for judicial review has passed, and no motion was filed.

If a motion for judicial review is filed, the adoptions social worker shall contact the DSS/YFS managing attorney and the DSS/YFS attorney assigned to the child’s case.

Form(s) that apply:

Notification Regarding the Selection of Adoptive Parent(s) to Foster Parent(s)


Reference(s):

[North Carolina Division of Social Services Manual-Chapter VI: Adoption Services](#)
[North Carolina Division of Social Services Manual-Chapter VI: Permanency Planning](#)

² **Adoption Services Policy, Protocol, and Guidance** (July 2019) Page 11 *NC CHILD WELFARE MANUAL*

³ N.C.G.S. § 7B-1112.1.

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Contact(s):

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Policy History:

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