

Permanency Planning and the Adoption Process

Mantorville, Minnesota

September 25 & 26, 2013

AND

October 23 & 24, 2013



1

Day 1 Agenda

- Introductions and expectations
- Overview of county child protection
- Permanency planning vs. Concurrent Permanency Planning
- Out-of-home placement requirements
- Fathers
- Relative search, notification and engagement

2

Day 2 Agenda

- Sibling placement and separation
- Social and medical histories
- Permanency options
- Services for older youth

3

Day 3 Agenda

- Commissioner's guardianship
- Guardianship and adoption data
- Roles of counties and DHS
- Adoption process
- Adoption recruitment efforts
- Engaging youth

4

Day 4 Agenda

- Placement decisions
- Consideration of culture in placement
- Matching children with families
- Revised adoption placement procedures
- Adoption Assistance
- Adoption petition
- Post-finalization tasks
- DHS staff contact information

5

Who am I?

Melissa Sherlock

Adoption & Permanency Policy Specialist
Minnesota Department of Human Services

Policy regarding children under
guardianship of the commissioner

Adoption policy

6

Who are you?

- Name and agency
- Primary role at agency
- Why you came today OR
Topic you most want to discuss OR
Best thing about your job

7

Purposes of this TA

- Provide an overview of the child welfare continuum, including permanency planning, relative search and placement decisions
- Outline the adoption process, including roles and responsibilities of counties, courts and DHS
- Identify policy impacting adoption
- Answer your questions
- Provide contact information for DHS adoption staff

8

Child Protection Continuum

CHILD PROTECTION	PERMANENCY
Screening	Reunification
Investigation	Adoption Child legally freed for adoption through: <ul style="list-style-type: none"> • Termination of parental rights (TPR) • Consent of parent to adopt under 260C
Field/on-going	Transfer of permanent legal and physical custody (TPLPC)

9

Child Protection Continuum (con't)

- The best **permanency** outcomes require good social work planning and practice during the **child protection** case.
- Everything that is done or not done, correctly or incorrectly, on the front end (child protection) will be magnified on the back end (adoption).

10

Preventable Barriers to Timely Adoptions

There are several “child protection” tasks that, if completed timely and thoroughly, may prevent delays in adoption finalizations.

The most significant of these is:

- Relative search, engagement and placement consideration
- Interstate Compact on the Placement of Children (ICPC)

11

MN Child Protection Data

(Minnesota's Child Welfare Report 2012)

Total MN children (estimated)	1,276,148
Total MN children with child maltreatment report accepted for assessment or investigation	18,284 (< 2% of population)
Total MN children who spent some time in out-of-home care	11,453 (< 1% of population)

12

Minnesota's Child Welfare System

- State supervised, county administered
- 87 counties
- Each county board has oversight responsibilities for the social services agency
- Majority of funding for child welfare services, including out-of-home placement, comes from federal IV-E reimbursement and county property tax revenue

13

Permanency Planning

- Permanency planning must begin from the first day a child is placed in out-of-home care.
- Agency efforts include:
 - Identifying, locating and assessing both parents
 - Identifying, locating and notifying relatives
 - Making a placement with a parent committed to being a legal parent if reunification cannot occur
 - Returning the child home with supports and services as soon as it is safe, or when reunification cannot be achieved timely, moving to finalize another legal permanency option.¹⁴

Minnesota Statutes, section 260C.001, subdivision 2(b)(7)

Out-of-Home Placement

Primary agency responsibilities for youth in care:

- Develop and implement an out-of-home placement plan (OHPP) for the child
- Conduct quality worker visits with the child
- Ensure child's safety, permanency and well-being

15

OHPP

Statutory Requirements:

Minnesota Statutes, section 260C.178, subdivision 7

Minnesota Statutes, section 260C.201, subdivision 6

Minnesota Statutes, section 260C.202 (a) and (c)

Minnesota Statutes, section 260C.203

Minnesota Statutes, section 260C.204 (a) and (c)

Minnesota Statutes, section 260C.212, subdivision 1

Minnesota Statutes, section 260C.219 (a)(2)(i) and (3)

Minnesota Statutes, section 260C.227

Minnesota Statutes, section 260C.229 (b)(2)

Minnesota Statutes, section 260C.301, subdivision 1 (b)(5)

Minnesota Statutes, section 260C.521, subdivision 1 (c)

Minnesota Statutes, section 260C.607, subdivision 4 (a)(2)

Minnesota Statutes, section 260D.06, subdivision 2 (a)(6)

OHPP (con't)

- OHPP is the roadmap for a case
- Evolving document that guides case practice



17

OHPP (con't)

- OHPP format revised in 2012
- Highlights:
 - Sections of plan are specific to the plan selected based on the primary reason for placement.
 - Added many drop-down options to a variety of sections versus utilizing free text.
 - Reinforced requirement for documentation of child's strengths and needs, placement decision, sibling placement, progress on permanency, and well-being.

18

OHPP (con't)

- Choose OHPP template based on reason for placement:
 - Safety and permanency [CHIPS petition]
 - Access to treatment [M.S. Chapter 260D]
 - Child is under guardianship of the commissioner and awaiting adoption
 - Continued foster care [Permanent Custody to Agency (PCA)]
 - Youth ages 18-21
 - Delinquency Petition
 - Trial home visit

19

OHPP (con't)

Common sections of OHPPs:

- Title page
- Details and services related to the plan type
- Sibling placement/separation
- Placement and permanency
- Health plan
- Education plan
- Visitation/contact plan
- Final issues
- Signature page

20

OHPP (con't)

- Prepare within 30 days of placement in:
 - Foster homes (families)
 - Foster residences (corporate foster care)
 - Group homes
 - Residential care (RTC, CMH, CD treatment)
 - Unlicensed supervised living settings for youth 18-21.
- Develop jointly with the parent and in consultation with the child, GAL, foster parent or facility staff, and tribe, as applicable.

21

OHPP (con't)

- Submit to court for approval within 30 days of a CHIPS petition.
- Submit for judicial review within 90 days of a VPA under Chapter 260C or within 165 days of a VPA for treatment under Chapter 260D.
- Modify at every placement setting change and review every six months.

22

OHPP (con't)

Social services agency ensures the OHPP:

- Is based on the allegations of the petition and evaluations or assessments conducted as the result of the EPC hearing or subsequent court order.
- Documents reasonable efforts to engage both parents in case planning.
- Documents agency efforts to maintain the child in the same school.

Minnesota Statutes, section 260C.178, subdivisions 1 and 7

23

OHPP (con't)

- Documents reasons for placement, description of placement and how it meets child's best interests, services provided, steps to achieve permanency, visitation plan, education and health well-being, **ILP for all youth ages 16 and older.**
- Outlines the responsibilities of the county, parent, care provider and others.
- Reviewed by court through frequent court hearings until permanency is achieved.

24

OHPP: Independent Living Plan (ILP)

- Required for all children in foster care ages 16 and older.
- Added requirement for agency to assist youth obtain annually, at no cost to the youth, a consumer credit report. Also requires agency to assist youth in interpreting report and resolve any inaccuracies.

Minnesota Statutes, section 260C.212, subdivision 1 (c)(11)
Minnesota Statutes, section 260C.203

25

Quality Worker Visits with Child

- Minimum of one face-to-face contact per month
- Of sufficient substance and duration to address issues pertinent to case planning and service delivery and to ensure the safety, permanency and well-being of the child
- Face-to-face contacts by other staff or providers with a contractual relationship with the agency is not a substitute for worker visits with the child

Minnesota Statutes, section 260C.212, subdivision 4a
PIP Tips: Worker Visits with Child

26

Ensure Child Safety, Permanency, and Well-Being

This encompasses everything you do as social workers.

27

Concurrent Permanency Planning (CPP)

- Concurrent permanency planning (CPP) is a child protection approach that emphasizes reunification, and at the same time, develops and implements an alternative permanency plan if a child cannot safely return home.

Minnesota Statutes, section 260C.223

- Requirements for concurrent planning strengthened in 2012 legislative changes.

Minnesota Statutes, section 260C.001, subdivision 2
Minnesota Statutes, section 260C.201, subdivision 2

28

CPP (con't)

Practice Guide for
Concurrent Permanency Planning,
available online:

<http://edocs.dhs.state.mn.us/lfserver/Legacy/DHS-4778-ENG>

*MCWTS Curriculum:
Concurrent Permanency Planning (CSP 208)*

Resource #1

29

Goals of CPP

- Achieve early permanency for children
- Decrease children's overall length of stay in foster care
- Reduce the number of moves and relationship disruptions experienced by children (placement stability)
- Develop a pool of "concurrent resource" families, who will work toward reunification, but will provide permanency for children who cannot return home

Minnesota Statutes, section 260C.223

30

Core Components of CPP

- Differential assessment and prognostic case review – **early assessment of conditions that led to placement, family strengths, and likelihood of reunification within 6-12 months**
- Full disclosure to all participants in the case planning process
- Family search and engagement
- Family Group Decision Making (FGDM)

31

Core Components of CPP (con't)

- Visiting between family and child
- Setting clear time lines for permanency
- OHPP is a transparent written agreement and documentation
- Committed collaboration between child welfare, the court, and service providers
- Specific recruitment, training, and retention of resource families both licensed for foster care and approved for adoption

32

County Child Protection: Relevant Court Hearings/Orders

- Emergency Protective Care (EPC)
 - Held within 72 hours of child's removal from home
 - Determines if child may remain in out-of-home care
 - Court may order chemical dependency evaluation, mental health evaluation, medical examination and parenting assessment at EPC hearing.
- Child in Need of Protection or Services (CHIPS)
 - Determines if a child is in need of protection or services or is neglected and in foster care
 - May transfer legal custody to county agency

Minnesota Statutes, section 260C.178

Minnesota Statutes, section 260C.201, subdivision 1

33

County Child Protection: Relevant Court Hearings/Orders (con't)

- 90 day review hearings for child in foster care
 - Reviews OHPP and child's placement.
 - Determines if agency made required efforts for relative search according to Minnesota Statutes, section 260C.221, and orders agency to continue to make efforts to engage relatives in placement and case planning decisions. Required no later than three months after the child's placement.
 - Determines if agency made an individualized determination of a child's needs according to Minnesota Statutes, section 260C.212, subdivision 2, to select an appropriate home for the child.

Minnesota Statutes, section 260C.193, subdivision 3

Minnesota Statutes, section 260C.202

34

County Child Protection: Relevant Court Hearings/Orders (con't)

- Permanency progress review hearing for **all** children in foster care for six months
 - Reviews progress of the case, including parent's progress on case plan, agency's efforts for reunification and agency's efforts to finalize another permanent plan
 - Required for **all** children in care, regardless of age
 - Permits court to order the agency to develop plan for permanent placement of child away from parent if parent is non-compliant with case plan or not maintaining contact.

Minnesota Statutes, section 260C.204

35

County Child Protection: Relevant Court Hearings/Orders (con't)

- Permanency proceedings
 - Determines the permanency outcome or path for child
 - TPR, guardianship transfer after consent to adopt, TPLPC, PCA, TLCA
- Post-permanency review hearings
 - Every 90 days when child is under guardianship until an adoption is finalized
 - Every six months for some children under guardianship under specific circumstances
 - Every year when PCA is ordered

Minnesota Statutes, section 260C.515

Minnesota Statutes, section 260C.519

36

Guardian ad Litem (GAL)

- Courts shall appoint a guardian ad litem (GAL) for every child who is the subject of a child protection proceeding [CHIPS or TPR]. Assignment generally continues through permanency.
- A GAL's role is to conduct an independent investigation to determine the facts relevant to the child's situation and submit a recommendation to the court on the child's best interests.

Minnesota Statutes, section 260C.163, subdivision 5

37

Child's Attorney

- If a child, who is the subject of a child protection proceeding [CHIPS or TPR], is age 10 and older and desires counsel, the court shall appoint an attorney. Assignment generally continues through permanency.

Minnesota Statutes, section 260C.163, subdivision 3

- An attorney's role is to confer with his/her client to determine the client's wishes and represent these wishes in court hearings.
- Children's Law Center of Minnesota organizes a group of attorneys who provide pro bono services as representatives for youth.

• Web site: www.clcmn.org

38

Fathers

- Fathers and relatives are not the same.
- Non-custodial fathers must be assessed for the care of their child, first and foremost. If the father can safely care for his child, foster care placement is not needed.



MCWTS Curriculum:
Engaging Fathers: Making Room for Dad

39

Fathers (con't)

- Fathers may be categorized as:

- Adjudicated
- Presumed
- Alleged
- Putative

When in doubt, consult with your ACA to determine status

- County social workers (SWs) must work with fathers to establish paternity when necessary.



40

Fathers: Requirement to Identify

- "Diligent efforts" to identify and locate both parents of any child who is the subject of proceedings under chapter 260C.
- "Diligent efforts" include, but are not limited to: 1) asking the custodial or known parent information; 2) searching the MN child support enforcement information system; 3) requesting a search of the MN Father's Adoption Registry 30 days after the child's birth; and 4) using "other reasonable means".

Minnesota Statutes, section 260C.150, subdivision 3

41

Fathers: Permanency Court Orders

- To transfer guardianship of a child to the commissioner of Human Services, the father must be addressed in the permanency court order(s).
- Statutes applicable to fathers:
 - *Minnesota Statutes, section 257.55* [Paternity]
 - *Minnesota Statutes, section 257.57* [Paternity action]
 - *Minnesota Statutes, section 259.52* [Father's Adoption Registry]
 - *Minnesota Statutes, section 259.49, subdivision 1(b)* [Person entitled to notice of hearing on adoption petition]

42

Father's Adoption Registry

- AKA **Putative Father's Registry** AKA **MFAR**
- Service of the Minnesota Department of **Health**
- "Putative father" means a man who may be a child's father, but who:
 - Is not married to the child's mother on or before the date that the child was or is to be born; and
 - Has not established paternity of the child according to Minnesota Statutes, section 257.57, in a court proceeding before the filing of a petition for the adoption of a child.

Minnesota Statutes, section 259.21, subdivision 12

43

Father's Adoption Registry (con't)

- Purpose is to determine the identity and location of a putative father interested in a minor child who is, or who is expected to be, the subject of an adoption proceeding, in order to provide notice of the adoption proceeding to the putative father who is not otherwise entitled to notice under section 259.49, subdivision 1 (a) or (b).
Minnesota Statutes, section 259.52
- By registering on the MFAR, a father retains his ability to perfect his paternity status, but registration, in and of itself, does not establish paternity.

44

Father's Adoption Registry (con't)

- Search MFAR to determine if there is a putative father for a child who is the subject of a CHIPS and/or TPR proceeding.
 - A certified copy of an order from a juvenile protection matter under chapter 260C containing a finding that certification of the MFAR search was filed with the court in that matter may be used as proof of search required prior to adoption finalization.
Minnesota Statutes, section 259.52, subdivision 2
Minnesota Statutes, section 260C.150, subdivision 3
- Results of MFAR search have implications for:
 - Paternity adjudication
 - Care of the child
 - Case plan development
 - Relative search
 - Placement and permanency

45

Father's Adoption Registry (con't)

- Father's Adoption Registry
Website: www.health.state.mn.us/divs/chs/registry.top.htm
Address: Father's Adoption Registry
Minnesota Department of Health
Office of the State Registrar
P.O. Box 64882
St. Paul, MN 55164-0882
Phone: (651) 201-5994 or (888) 345-1726
Email: far@state.mn.us
- Contact
Helen Bassett
helen.bassett@state.mn.us
(651) 201-5991

46

Preserving a Child's Connections



47

Relative Search: Purposes

- To identify prospective foster care and/or adoptive placement resources.
- To preserve a child's connections.



48

Relative Search: CFSR Link



The federal **Child and Family Service Review** measures the plan and services to support a foster child's connections.

49

Relative Search: Preserving Connections

- Foster care and/or adoptive placement with a relative or kin is the best way to preserve connections for a child who cannot live with his or her birth parent(s).
- A child can maintain connections with relatives even if the relatives are not foster care or adoptive **placement** resources.

50

Relative Search: Preserving Connections (con't)

Engage family members to determine a child's connections to his or her:

- Siblings, grandparents, aunts, uncles, other family members, Godparents, mentors, coaches, teachers, neighbors, friends
- Community
- Tribe
- School
- Church or other faith community
- Pets
- Sports and activities



Engaging Relatives

In addition to the child, positively engaging relatives also helps:

- **Birth parents** – Builds trust to develop a relationship that allows a parent to focus on reunification and the case plan.
- **Foster and adoptive parents** – Develops potential resources for cultural guides, respite providers and sources for concrete tasks [e.g. transportation].
- **Social workers** – Develops relationships that promote timely permanency planning and helps establish supports within the extended family system.

52

Benefits of Relative/Kinship Care

- Family preservation
- Family system maintains the role of primary care provider for the child
- Reduced loss and trauma for child
- Increased maintenance of a child's connections
- Increased **placement stability**



53

Why Is Placement Stability Important?

- Minimizes child pain and trauma
- Lessens child attachment issues and emotional and behavioral disorders
- Decreases school mobility and increases academic achievement
- Maximizes continuity in services, decreases foster parent stress and lowers program costs
- Increases the likelihood that a child will establish an enduring positive relationship with a caring adult

Peter J. Pecora, Ph.D., Promoting Placement Stability in the Context of Permanency Planning

54

Minnesota Statutes and Rule Applicable to Relative Search, Placement, and Visitation

Statutes

- § 260.012 (e)(3)
- § 260C.001, subd. 2 (b)(7)(iii)
- § 260C.007, subd. 27 (definition)
- § 260C.193, subd. 3
- § 260C.201, subd. 2 (a)(4)(iii)(iv)
- § 260C.201, subd. 5
- § 260C.202 (b)
- § 260C.212, subd. 1 (c)(5)
- § 260C.212, subd. 2 (a)
- § 260C.221
- § 260C.607
- § 260C.619

Rule

- 9560.0535



Statutes and Rules may be found online at:

www.revisor.leg.state.mn.us

55

Definition of Relative in 260C



“Relative” means a person related to the child by blood, marriage, or adoption, or an individual who is an important friend with whom the child has resided or had significant contact. For an Indian child, relative includes members of the extended family as defined by the law or custom of the Indian child's tribe or, in the absence of law or custom, nieces, nephews, or first or second cousins, as provided in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1903.

Minnesota Statutes, section 260C.007, subdivision 27

56

Limitation of “Relative”

The broad definition of relative relationship must be between a prospective foster or adoptive parent and a child.

- The parent(s) who previously adopted a birth sibling of a child is not a relative to the child.

Court of Appeals of Minnesota, In re the Matter of the Petitions to Adopt K.L.L., No. C8-93-2272, May 3, 1994

- The birth mother's best friend, who has never met a child is not a relative (kin) of the child.

However, this type of foster/adoptive resource may be considered within the context of the child's best interests based on the individualized determination of the child's needs.

57

Relative Search: Agency Responsibilities

- Conducting relative searches
 - Identifying, notifying and engaging relatives
 - Considering/assessing relatives for placement
- Minnesota Statutes, sections 260C.221*
- Initiating ICPC requests for any relative living out-of-state who is interested in placement
- Minnesota Statutes, sections 260.851 to 260.92*
- Documenting agency efforts
- Minnesota Rule 9560.0535, subpart 3*
- Informing the court of diligent efforts no later than three months after placement

Minnesota Statutes, section 260C.193, subdivision 3
Minnesota Statutes, section 260C.221 (c)

58

Relative Search

- Minnesota Statutes, section 260C.221



- Relative Search Best Practice Guide is being revised by DHS

Resource #2

59

Relative Search: Time Frame

- The county shall exercise “due diligence” to identify and notify adult relatives prior to placement or within 30 days after the child's removal from the parent.
- The county shall consider placement with a relative without delay and whenever a child must move from or be returned to foster care.

Minnesota Statutes, section 260C.221 (a)

60

Relative Search: General Requirements

- Relative search shall be “comprehensive” in scope.
- *Relative search shall include both maternal and paternal relatives of the child regardless of paternity adjudication.*

Minnesota Statutes, section 260C.221 (a)

- Court ordered or voluntary placements.

Voluntary placements: Minnesota Statutes, section 260D.01 (g) →

Minnesota Statutes, section 260.012 (e) →

Minnesota Statutes, section 260C.221

61

Relative Search: ICWA

Agency must meet **active efforts to prevent the breakup of the Indian family and placement preference** requirements for children when the Indian Child Welfare Act (ICWA) applies.

Minnesota Statutes, section 260C.221 (a)

U.S.C., title 25, sections 1912(d) and 1915

62

When to Consider Relative Placement



- Every time a child enters or re-enters foster care
- Every time the agency considers moving a child to a different placement
- When reunification is no longer a consideration and an alternative permanency plan is pursued
- At every annual permanency hearing for a child ordered into Permanent Custody to Agency
- When a child under guardianship of the commissioner has been waiting for an adoptive family for a considerable amount of time
- When court ordered to do so

63

Sources of Relative Information

- Child’s parents or guardians
- Child
- Child’s guardian ad litem
- Child’s tribe
- Child’s relatives contacted about placement
- Kin/other persons who know the family
- **Internet and other reasonable means**
- Child’s and/or family’s service providers
- County social services agencies that previously served the family
- Other agencies/organizations, including the child’s school
 - What names are on file with the school as emergency contacts?



Please consult with your county’s data privacy official

Minnesota Statutes, section 260C.221

Minnesota Rules, part 9560.0535, subpart 4

64

Relative Search: Gathering Information



The first step in relative search is **gathering information**:

- Family information should be obtained to maximize the child’s connections and provide the opportunity for concurrent planning.
- During the search process it is important to consider all information as possibly relevant and without judgment.
- Parents and relatives need to know that placement with relatives is the agency’s first consideration. However, restricting discussion only to consideration of placement can limit search results.

65

Relative Search: Gathering Information (con’t)



- Talk to the parents about the members of their family, learn the family history and put together a simple genogram.
- At the time of removal or within a few days of placement, talk to the child about his or her family and friends, based on the child’s age and cognitive/developmental ability.
 - Who has the child spent time with?
 - Who cares for the child when mom or dad leave the home?
 - Who does the child go to for help?

66

Relative Search:

Notification Requirements at Initial Placement

Notify relatives:

- Of the need for a foster home for the child, the option to become a placement resource for the child and the possibility of the need for a permanent placement.
- Of their responsibility to keep the agency and court informed of their current address in order to receive notice of the permanency progress review hearing and the need for permanent placement, and that failure to provide a current address forfeits their right to notice if a permanent placement is needed.
- Their decision not to be identified as a potential permanent placement resource or participate in planning for the child at the beginning of the case shall not affect whether they are considered for placement later.

67

Relative Search:

Notification Requirements at Initial Placement (con't)

- They may participate in the care and planning for the child, but that the opportunity for participation may be lost by failing to respond to the notice. Care and planning:
 - Participating in case planning for parent and child
 - Identifying strengths and needs of parent and child
 - Supervising visits
 - Providing respite and vacation visits for child
 - Providing transportation to appointments
 - Suggesting other relatives who might be able to help support the case plan
 - Helping maintain the child's familiar and regular activities and contact with friends and relative⁶⁸

Relative Search:

Notification Requirements at Initial Placement (con't)

- Of the family foster care licensing requirements, including how to complete an application and request a variance from licensing standards that do not present a safety or health risk to the child in the home under section 245A.04, and supports for relatives and children who reside in a family foster home.
- Of their right to ask to be notified of any court proceedings regarding the child, attend the hearings, and be heard by the court as required under section 260C.152, subd. 5.

Minnesota Statutes, section 260C.221 (a)

69

Interstate Compact on the Placement of Children (ICPC)

- The most thorough, appropriate way to assess any relative for the care of a child is through a home study.
- The way to request a home study for a relative living in another state is to initiate an ICPC.
- The ICPC process provides a home study on the prospective caregiver plus approval or denial from the other state for the child's placement. However, the final placement decision is the responsibility of the Minnesota county agency.
- The county should submit ICPC requests for all interested relatives, and may do so at the same time.

Minnesota Statutes, sections 260.851 to 260.92

70

ICPC (con't)

- Initiate ICPC requests as early as possible during permanency planning, including concurrent permanency planning. Assessment of a relative should be done even if reunification efforts preclude a child's immediate move out-of-state. If reunification efforts fail, the ICPC will already be approved and the child can move without delay.
- Repeatedly remind non-relative foster parents of any pending ICPCs and that the county continues to assess relatives for the care of the child.
- There is generally a six month window from ICPC approval to place the child, but this timeline may be extended. Call your MN ICPC compact administrator for specific details.

71

ICPC (con't)

- If a child is placed in another state through the ICPC, that state's policies and procedures impact the placement, including type, timelines and requirements.
- The compact requires the sending state to maintain jurisdiction of a child for six months after placement in cases with a planned transfer of permanent legal and physical custody (TPLPC) in order to ensure appropriate supervision and services. After six months, the sending state must request from the receiving state concurrence with the plan to court order the TPLPC.

72

Agency Permitted to Disclose Private Data to Relatives

- For the purpose of locating and assessing a suitable placement.
- That is necessary to facilitate possible placement with relatives.
- To ensure the relative is informed of the needs of the child so the relative can participate in planning for the child and support services to the child and family.

Minnesota Statutes, section 260C.221 (b)

When in doubt, consult with your county attorney before disclosing private or confidential information.



Refusal of Parent to Provide Relative Information

If a parent refuses to provide information sufficient to identify maternal and paternal relatives of a child, the county must ask the juvenile court to order the parent to provide the necessary information.

Minnesota Statutes, section 260C.221 (b)



Request of Parent that Relative(s) Not be Considered for Placement

If a parent makes an *explicit* request that one or more relatives not be contacted or considered for placement due to safety reasons including family or domestic violence, the agency shall bring the request to the court to determine if the request is consistent with the child's best interests. In this case, the county shall not contact relatives or a specific relative unless authorized by the court.



Minnesota Statutes, section 260C.221 (b)

75

Required Report to Court

No later than three months after placement, the agency must report to the court:

- Efforts to identify maternal and paternal relatives, engage relatives, and document that they have been properly notified.
- Document agency decision regarding placement with a relative.
- Disclose data about particular relatives identified, searched for and contacted. (Consult with county attorney about specific data practices questions.)

Minnesota Statutes, section 260C.193, subdivision 3

Minnesota Statutes, section 260C.221 (c)

76

Hearing on Relative Search Report

- If the court is satisfied that the agency has exercised due diligence, the court may find that the agency has made reasonable efforts to conduct a relative search, to identify and properly notify and to engage relatives.
- If the court is not satisfied that the agency has exercised due diligence, the court may order the agency to continue its search and notice efforts and to report back to the court.

Minnesota Statutes, section 260C.193, subdivision 3

Minnesota Statutes, section 260C.221 (e)

77

Hearing on Relative Search Report (con't)

After the finding that the agency has made reasonable efforts to conduct a relative search, the agency:

- Has the continued responsibility to appropriately involve relatives who have responded to the notice in planning and consider them for placement.

Minnesota Statutes, section 260C.193, subdivision 3 (d)

Minnesota Statutes, section 260C.221 (a)(3)

78



Relative Search: Notification at Permanency

When the county determines that permanent placement proceedings are necessary because there is a likelihood the child will not return to a parent's care, the county must:

- Send required notices to relatives;
- Ask the court to modify the agency's duty to send the required notices; or
- Ask the court to completely relieve the agency of the duty to send required notices.

Minnesota Statutes, section 260C.221 (f)

79



Relative Search: Notification at Permanency (con't)

Who must be provided notice at the time of the permanent placement proceedings:

- Relatives
- Any adult with whom the child is currently residing
- Any adult with whom the child has resided for one year or longer in the past
- Any adult who has maintained a relationship or exercised visitation with the child as identified in the agency case plan.

Minnesota Statutes, section 260C.221 (g)

80



Relative Search: Notification at Permanency (con't)

- Notify that a permanent home is sought for the child and that the individual receiving the notice may indicate to the agency their interest in providing a permanent home.
- Notify that within 30 days of receipt of the notice, the individual must indicate their interest in providing a permanent home for the child or that the individual may lose the opportunity to be considered for a permanent placement.

Minnesota Statutes, section 260C.221 (g)

81

Relative Search: Placement Disruption

Relative search should be renewed if a subsequent placement becomes necessary.

Minnesota Statutes, section 260C.605, subdivision 1 (d)(3)(i)(ii)
Minnesota Rule 9560.0535, subpart 3

82

Relative Search (con't)

At any time during the course of the juvenile protection proceedings, the court may order the agency to reopen its search for relatives when it is in the child's best interest.

Minnesota Statutes, section 260C.193, subdivision 3
Minnesota Statutes, section 260C.221 (a)

83

Relative Search Documentation

- The agency must thoroughly document relative search efforts.
Minnesota Rule 9560.0535, subpart 3
- The "Relative-Kinship Search and Placement Considerations" form is available in SSIS.
- The new out-of-home placement plan for children under guardianship provides drop-down options to document the agency's efforts to identify and notify relatives.

Minnesota Statutes, section 260C.212, subdivision 1 (c)(6)

84

Family Group Decision Making

Engage relatives to develop:

- A temporary and/or permanent placement resource
- A safety or protection plan
- A care plan to coordinate the resources of families, communities and social service agencies
- A plan to assist youth transition from foster care



MCWTS Curriculum:
Family Centered Assessment/Intervention:
Family Group Decision Making Orientation

Tool for Relative/Kinship Care



Tools for Permanency Tool #4: Kinship Care

National Resource Center
for Permanency and Family Connections
(NRCPFC)

http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/kinship-relative-care.html

Scroll down to TOOLS AND RESOURCES
Click on: **Tools for Permanency – Kinship Care**

86

Tool for Relative/Kinship Care (con't)



Six Steps to Find a Family: A Practice Guide to Family Search and Engagement

National Resource Center for Permanency and
Family Connections (NRCPFC)

<http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/SixSteps.pdf>

87



Tool for Relative/Kinship Placement Decisions

Assessment Tool: *Protective Capacity of Kinship Caregiver*

National Resource Center for
Permanency and Family Connections
(NRCPFC)

Handout #1

88

Another Benefit of Contact with Relatives and Kin

In addition to placement considerations, conversations with relatives and kin may provide important information that should be included in the **child's social and medical history**, which is required by statute and rule.



89

Practice Ideas



Think about a child you know and love.

Who would you want this child to live with if removed from his/her birth parents?

90



Things to Consider

- What factors may be impacting your ability to conduct a comprehensive relative search?
- How is relative search used to preserve the child's connections?
- What assessment process are you using to make relative placement decisions?
- What are the reasons for not placing with relatives?
- Where are relative search efforts documented?
- Does your county provide quality assurance in this practice area?

91



Self-Assessment

- Social worker's attitudes, beliefs and own experiences impact work with relatives.
- The only family you are an expert on is your own.
- Questions to ask yourself:
 - What do you know about the family's culture?
 - Who are you consulting with to assist you in understanding the family's culture?
 - Who have you invited to participate on the decision-making team?

92

Siblings



93

Siblings



- The sibling relationship is generally the longest in a person's lifetime.
- Siblings provide each other:
 - Shared history
 - Functions of identity development
 - Emotional support
 - Companionship and friendship
 - Environment to learn social skills [sharing, negotiating, compromise, conflict resolution]
 - Opportunities to develop coping mechanisms for jealousy, aggression and interpersonal conflicts.

Sibling Placement



- Separation from parents is traumatic for children in foster care. This trauma is compounded when children are also separated from their siblings.
- Research and best practice literature document the benefits of placing siblings together.
- It is imperative that siblings be placed together from their first foster care placement, because once siblings are separated in foster care, they are less likely to be adopted together.

95

Sibling Placement Laws



- Minnesota law requires that siblings be placed together for foster care and adoption at the earliest possible time unless it is determined not to be in the best interests of a sibling or unless it is not possible after "reasonable efforts" by the responsible social services agency.
- The law does not differentiate full, half or step siblings.
- The agency is required to provide frequent visitation and contact between separated siblings unless documented to be contrary to safety or well-being of children.

Minnesota Statutes, section 260.012 (e)(4)

Minnesota Statutes, section 260C.178, subdivision 1 (k)

Minnesota Statutes, section 260C.212, subdivision 2 (d)

Minnesota Statutes, section 260C.617

Resource #3

96

Court Review of Sibling Placement

- 2012 legislative changes strengthened and clarified the court's role in reviewing the responsible agency's efforts to place siblings together or to implement an appropriate visitation plan if separated.
- **Court must now approve permanent separation of siblings through adoption.**

Minnesota Statutes, section 260C.193, subdivision 3 (g)
Minnesota Statutes, section 260C.617

97

Court Approval of Sibling Separation

Court may determine a child under the court's jurisdiction may be separated from their sibling for the purpose of adoption when the court finds:

- The responsible agency has been unsuccessful in efforts to place siblings together and further efforts would significantly delay the adoption of one or more siblings; or

98

Court Approval of Sibling Separation (con't)

- Placement together is contrary to the safety or well-being of any of the siblings, and efforts by the responsible agency to ameliorate the issues have been unsuccessful.

Minnesota Statutes, section 260C.617 (d)

99

Strategies for Placing Siblings Together



- Develop and promote agency philosophy that siblings need to be placed together.
- Promptly complete thorough relative searches and utilize relative placements whenever possible.
- Recruit, train and support foster and adoptive families to enable them to care for sibling groups.
- Educate social workers, therapists, GALs, attorneys, judges and families on the importance of maintaining sibling relationships.

100

Strategies for Placing Siblings Together (con't)



- Recruit for sibling groups together – Use a group photo versus individual photos and make the description clear that the siblings must be placed together.
- Place the siblings together from first placement. If that is not possible, develop a plan and work actively and continually to place the siblings together as soon as possible.
- Assign one social worker to all siblings in a family.
- If a child enters foster care after a sibling, contact the sibling's caregiver/parent to inquire about placement of the new child.

101

Sibling Placement Decisions



- When assessing the best interests of the siblings in regards to placement together, consider the importance of the sibling relationship over the children's lifetime.
- Assess past, current and potential future relationships/attachments for all of the siblings.
- Refer siblings for a formal assessment of the quality and intensity of their attachment.
- Use treatment and therapy, rather than separation, to resolve sibling issues.
- Continually reassess what is needed in order for siblings to be placed together safely.

102



Sibling Placement Decisions (con't)

- Inappropriate reasons to separate siblings:
 - Children are half or step siblings
 - Siblings initially separated in foster care, efforts were not made to find an appropriate placement for them together, siblings now attached to current caregivers
 - Child is physically, emotionally or sexually abusive to a sibling or is "parentified", but no interventions have been attempted to alleviate the behaviors
- **Potentially** appropriate reasons to separate siblings:
 - Therapeutic and other interventions to ameliorate a child's abuse toward a sibling has been ineffective
 - "Legal separation" planned
 - Exhaustive efforts to locate a family for the siblings together have been unsuccessful

103



Sibling Placement Decisions (con't)

- Use team decision-making
- Utilize a tool such as the *Sibling Decision Making Matrix*, created by Northeast Ohio Adoption Services' Sisters and Brothers Together Project
Federal Adoption Opportunities Grant #90-CO-0821
- **Court must approve agency's plan to separate siblings for adoption**
Minnesota Statutes, section 260C.617

Resource #4

104

Sibling Visitation



- When siblings are separated, visitation between siblings must be a priority.
- Visits should begin as soon as siblings are separated in foster care or adoptive placements.
- Whenever possible, visits should occur at regularly scheduled (predictable) intervals. Research and best practice suggests visits between separated siblings should generally occur 2-3 times per month at minimum.
- Frequency, duration and type of contact must be determined based on age, development level, needs and location of each sibling.

105

Sibling Visitation (con't)



- Develop written plans for visitation that address specific logistics, such as date, time, location, frequency, duration, transportation, supervision, funds and who is responsible to initiate contact.
- Visits should not be contingent on the behavior of any of the siblings. **Contact with siblings is a right, not a privilege.**
- Requesting visitation is not the responsibility of any of the siblings. **It is the obligation of the adults to raise discussion about sibling relationships and to arrange visits.**

106

Sibling Visitation (con't)



- Visitation between children placed separately in foster care is the responsibility of the social services agency and must be documented in the out-of-home placement plan (OHPP). The court may monitor compliance with the visitation/contact plan.
Minnesota Statutes, section 260C.212, subd. 1(c)(5)
- Statute permits formal communication and contact agreements be developed to outline plan for on-going visitation/contact between siblings in separate adoptive homes.

107

Minnesota Statutes, section 260C. 619

Communication and Contact Agreements

- Communication and contact agreement is filed in the **adoption file in juvenile court** (previously family court) for enforcement or modification of the agreement.
- A party to the agreement who wants to file a motion to enforce or modify the order is **no longer required to first attempt mediation** to resolve the dispute.

Minnesota Statutes, section 260C.619

108

Strategies for SWs to Facilitate Sibling Visitation

- Place siblings in close proximity – same neighborhood and/or school district.
- Schedule joint therapy sessions.
- Facilitate a relationship between the foster and/or adoptive parents.
- Schedule visits during special events.
- Have the parents provide respite for each other.

109

Strategies for SWs to Facilitate Sibling Visitation (con't)

- Enroll siblings in the same sports or other activities.
- Work on creating life books as a sibling activity.
- Send siblings to the same camp – **Camp to Belong**
- Encourage parents to join the same support or social groups

110

Minnesota Statutes and Rule Applicable to Sibling Placement and Visitation

Statutes

- § 259.57, subd. 2 (c)
- § 259.58
- § 260.012 (e)(4)
- § 260C.178, subd. 1 (k)
- § 260C.193, subd. 3 (e)
- § 260C.201, subd. 2 (a)(4)(v)
- § 260C.201, subd. 5
- § 260C.212, subd. 1 (c)(5)
- § 260C.212, subd. 2 (b)(9)
- § 260C.212, subd. 2 (d)
- § 260C.617

Rule

- 9560.0440, subp. 3 (B)



Statutes and Rules may be found online at:
www.revisor.leg.state.mn.us

111

Practice Ideas



Think about your sibling(s).

Can you imagine what your life would be like now if you had been separated as children?

Can you imagine the loss you would feel?

112

Child Social and Medical Histories



113

Child Social and Medical Histories: Tasks of the Social Worker

- Obtaining information
- Providing information
- Interpreting information



Ziegler, Kay Donley. (1996). Making Disclosure. The Roundtable, Vol. 10 (1).

114

Child Social and Medical History: Statute/Rule Requirements

The county must document relevant background and health information on the child and his or her birth family members.



*Minnesota Statutes, section 259.43
Minnesota Statutes, section 260C.609
Minnesota Rules, part 9560.0060, subpart 2 (A) and (B)
Minnesota Statutes, section 260C.208
Minnesota Statutes, section 260C.219 (e)*



115

Child Social and Medical History: Information to Include

Background and health information specific to the child:

- Characteristic data
 - Name, date of birth, physical description, religion
- Sibling information
- Historical and current health information
 - Birth, medical, dental, immunization history
 - Current health condition, including medications
 - Mental health/therapeutic information
- Placement history
- Education history
- Behavior and demeanor
- Relationships and connections

116

Child Social and Medical History: Information to Include (con't)

- Background and health history specific to the child's birth parents and other birth relatives:
 - General characteristic and background information
 - Education and employment history
 - Medical and mental health [genetic] history
 - Chemical dependency history, particularly use of drugs/alcohol during birth mother's pregnancy
 - Reasons for the child's placement
- Include information on both maternal and paternal relatives.

117

Child Social and Medical History: Best Practice

- Completion of child's social and medical history **must begin no later than permanency progress review hearing at six months in foster care.** Still best practice to begin it as soon as a child is placed in foster care.

Minnesota Statutes, section 260C.609 (b)

- Continuously update a child social and medical history until permanency is achieved through:
 - Reunification
 - Adoption
 - Transfer of permanent legal and physical custody

Child Social and Medical History: Forms

Child social and medical history must be provided on a form or forms prepared by the commissioner.

- **Required documents:** 1) Birth Parent Social and Medical History (DHS 3205) (SSIS 67); and 2) Background and Health History (DHS 3235) (SSIS 68).
- **Supplementary documents:** 1) Outline for Health and Social History Narrative (DHS 3382) (SSIS 61); 2) Child's Birth History (DHS 3380) (SSIS 59); and 3) Hospital Discharge Report (DHS 3384) (SSIS 63).

Resource #5

119

Child Social and Medical History: Primary Purposes

- Document family background information to guide practice and **develop appropriate interventions.**
- Assist in the **foster/adoption matching** process.
- Collect information to comply with requirements for **full disclosure to the adoptive parents** about the child.
- Provide the child a **comprehensive written document of his/her life history** prior to and while in foster care.
- Document the child's physical, mental, social/emotional, or behavioral disability OR how child is at-risk of developing one or more disability to **establish eligibility for Adoption Assistance.**

120

10 Best Interest Factors is Summary of Social and Medical Hx

- ☑ Current functioning and behaviors
- ☑ Medical needs
- ☑ Educational needs
- ☑ Developmental needs
- ☑ History and past experiences
- ☑ Religious and cultural needs
- ☑ Connection with community, school, faith community
- ☑ Interests and talents
- ☑ Relationship to current caretakers, parents, siblings, relatives
- ☑ Reasonable preference of child

121

Child Social and Medical History: Importance

- Knowledge of family medical and genetic history is essential for on-going health care during a person's lifetime.
- A social and medical history (plus an approved home study) is used to appropriately match a child with foster and/or adoptive parents.
- Background and health information assists a prospective family make an informed decision about whether they are emotionally and financially prepared to meet a child's needs.



122

Child Social and Medical History: Importance (con't)

- Information contained in a social and medical history is crucial to the parent's ability to appropriately care for the child.
- Providing complete background information protects the agency from a lawsuit.



123

Child Social and Medical History: Importance (con't)

- A thorough social and medical history provides a child significant information about himself or herself and assists in identity understanding and development.
- Information that a social worker documents in a social and medical history becomes pertinent for non-identifying information released in post-adoption searches.



Child Social and Medical Histories Must be Provided to the:

- Adopting family – prior to adoptive placement
[Signing of the Adoption Placement Agreement]
Minnesota Statutes, section 259.43
Minnesota Rules 9560.0060, subpart 2 (A)
- Department of Human Services – accompanying the Adoption Placement Decision Summary
Minnesota Statutes, section 259.43
Minnesota Statutes, section 259A.15, subdivision 1 (b)
- Court with jurisdiction in the adoption proceeding – accompanying the adoption petition
Minnesota Statutes, section 259.43
Minnesota Statutes, section 260C.623, subdivision 4 (2)
- Youth who emancipates from foster care
Minnesota Statutes, section 260C.219 (e)



Where to Find Information for Social and Medical Histories

- Ask people who know the child:
 - Child's parents
 - Child
 - Relatives/family friends
 - Neighbors
 - Godparents
 - Teachers, child care providers, faith leaders
 - GAL
 - Coaches, activity leaders
 - Mentors

126

Where to Find Information for Social and Medical Histories (con't)

- Child's birth, medical, immunization, and dental records
- Child's evaluations and assessments
- Child's therapeutic records, including treatment plans and therapist notes
- Child's school records

127

Where to Find Information for Social and Medical Histories (con't)

- Child protection investigator's SSIS case notes of initial interviews for maltreatment assessments
- Case transfer summaries
- EPC, CHIPS and TPR petitions and court orders
- Relative search documents
- Family Group Conference notes
- Notes from supervised parent-child visits
- Parents' Rule 25 chemical dependency assessments
- Parents' psychological or psychiatric evaluations
- Parents' parenting assessments

128

Tips for Writing Child Social and Medical Histories

- Begin adding information to the child social and medical history as you read through a newly assigned case file.
- Begin requesting birth, medical, immunization, and dental records right away.
- Be sure the child has current evaluations and assessments. If not, begin referral process.
- Have the birth parents assist you in completing information early in the child protection case versus immediately before or after a TPR trial.

Tips for Writing Child Social and Medical Histories (con't)

- Give blank social and medical histories to people who know the child with whom you have contact [relatives, foster parents, GAL, therapist, teacher] and ask them to complete sections that pertain to their knowledge of the child.
- Be as thorough and specific as you can with details, particularly about the abuse or neglect experienced by the child and its impact.
- Be straightforward with uncomfortable information, but present it in the most sensitive manner possible.

130

Tips for Writing Child Social and Medical Histories (con't)

- Clearly document the reasons the child cannot live with his or her birth parents.
- Document as much historical information as you can determine – particularly developmental milestones – even for years the child was not in the county's custody.
- Document the child's placement history as thoroughly as possible, including dates, care providers' first names and most accurate reason for removal.

131

Tips for Writing Child Social and Medical Histories (con't)

- Include as much positive information about the child and birth family members as possible.
- Provide as many specific details as possible about the birth parents.
- Complete every section of the document. **If something is not applicable or unknown, indicate that.**

Tips for Writing Child Social and Medical Histories (con't)

- Specify the frequency and severity of a child's challenging behaviors as well as if the behaviors are still occurring or when they last occurred.
- Do not include identifying information.
- Include redacted copies of all relevant attachments regarding the child.
 - Birth, medical, dental, immunization records
 - Psychological or psychiatric evaluations
 - Attachment assessments
 - IEPs and other school documents
 - photos

133

Tips for Writing Child Social and Medical Histories (con't)

- Be sure you are complying with all federal and state laws regarding disclosure of identifying and non-identifying information.
 - *Federal Health Insurance Portability and Accountability Act (HIPAA)*
 - *Minnesota Data Practices Act*
Minnesota Statutes, Chapter 13
- If you have data privacy questions, consult with your county attorney.

HIPAA web-based training:
"Protecting Information Privacy"

134

Helpful Hints for Child Social and Medical Histories

- Give a copy of the child's social and medical history to the adopting parent(s) and **thoroughly discuss the child's history with them.**

Minnesota Statutes, section 260C.609 (c)

- Explain to the adopting parent(s) the limitations of information-gathering and disclosure.
- Have the adopting parent(s) sign/date an acknowledgement of receipt of the social and medical history and each specific attachment provided. Keep the acknowledgement in the child's case file.

135

Practice Ideas



Think about a child you know and love.

What information would you want the temporary and/or permanent care provider to know about this child to ease the transition?

136

Things to Consider

- Who at your agency is responsible to complete child social and medical histories?
- When does work on child social and medical histories begin?
- How does your agency use child social and medical histories to provide full disclosure to prospective adoptive and foster parents?
- What priority/value does your agency place on completion of **thorough** child social and medical histories?

137

Resources for Child Social and Medical Histories

- Providing Background Information to Adoptive Parents: A Bulletin for Professionals:
http://www.adoptiononline.com/providing_background_information_to_adoptive_parents.html#information
- "Making Disclosure" by Kay Donley Zeigler, MSW, published in *The Roundtable*, Volume 10, Issue 1, 1996:
<http://www.nrcadoption.org/resources/newsletter/roundtable/page/3/>
- Obtaining Background Information on Your Prospective Adopted Child:
http://www.adoptiononline.com/obtaining_background_information_on_your_prospective_adopted_child.html

138

Permanency Planning



139

Special Immigrant Juvenile Status (SIJS)

- Provides relief for undocumented children in foster care
- Route to legal immigration status
- Requirements:
 - Under 21 years of age and unmarried
 - Declared dependent in a U.S. juvenile court and placed under the custody of a state, agency appointed by a state, or court
 - Reunification with one or both parents is not viable due to abuse, neglect or abandonment
 - Return to their or their parents' country of nationality or last habitual residence is not in their best interests.

140

Special Immigrant Juvenile Status (SIJS) (con't)

- Allows child to remain in U.S., eventually obtain lawful permanent residency, provides government-issued photo ID, permits employment.
- Allows faster route to legal status for undocumented children who are being adopted.
- Applications must be adjudicated within six months.

141

Special Immigrant Juvenile Status (SIJS) (con't)

- Social worker has role in process to apply for SIJS.
- For more information, see DHS Policy Bulletin #12-68-20, Special Immigrant Juvenile Status (SIJS), available online: http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_173281.pdf

142

Permanency Planning and an Adoption Worker: Where Do I Fit?

Team decision-making is key to successful permanency planning.

Adoption worker may be the same person as the child protection worker or it may be someone new.

If different workers, the adoption worker has a role in planning prior to the court-ordered permanency disposition.



143

Permanency Options

Minnesota Statutes, section 260C.515



Reunification



TPLPC

(Transfer of Permanent Legal and Physical Custody to relative)



Guardianship transfer after a TPR (Termination of Parental Rights) OR Court's Acceptance of a Consent of Parent to Adoption for the purpose of **Adoption**



PCA

(Permanent Custody to Agency)

Previously **LTFC** (Long-term Foster Care)

Resource #6

Preferred Permanency Option




Adoption

(through TPR or Consent to Adopt)
is the preferred permanency option over TPLPC for children who cannot be safely reunified.

Minnesota Statutes, section 260C.001, subdivision 3 (2) 145
Minnesota Statutes, section 260C.513

Reunification

- Reunification is the primary plan for most cases. Exceptions are listed in Minnesota Statutes, section 260.012 (a).
- Minnesota does well meeting federal standards/targets for reunification within 12 months.

146

Foster Care Re-entry

- Minnesota does much less well meeting federal standards/targets for foster care re-entry.
- **March 1, 2013 through March 1, 2014 is a crucial period for Minnesota to improve foster care re-entry rates.**

147

Foster Care Re-entry (con't)

- Trial Home Visit – strategy to reduce re-entry
Minnesota Statutes, section 260C.201, subdivision 1 (a)(3)
- Quarterly Supervisors Forum VPC: Foster Care Re-entry, February 19, 2013
Archive for 90 days:
mms://stream2.video.state.mn.us/oet/dhsquarterlysupvforum021913.wmv
- DHS will soon be publishing resources:
 - Policy paper on re-entry
 - Trial Home Visit Practice Guide

148

Guardianship Transfer to the Commissioner of Human Services

Guardianship transfer may be ordered after:
Termination of Parental Rights (TPR)
OR
Court's acceptance of a Consent of Parent to Adoption,

Minnesota Statutes, section 260C.515



149

Guardianship Transfer to the Commissioner of Human Services (con't)

The purpose of the court terminating parental rights and/or accepting a Consent of Parent to Adoption is to legally free a child for adoption.

The purpose of the court transferring guardianship of the child to the commissioner is to provide the child a temporary parent.



150

Termination of Parental Rights

- May be voluntary or involuntary
- Birth parent has no legal authority to choose adoptive parent
- Parental rights are terminated with TPR court order
 - Birth parent's child support order ends with TPR

Minnesota Statutes, section 260C.317

151

Termination of Parental Rights (con't)

- Explicitly states authority for a parent whose rights were terminated to enter into a contact agreement.
- Clarifies that a TPR may not be conditioned on a communication or contact agreement.

Minnesota Statutes, section 260C.317, subdivision 4

152

Termination of Parental Rights (con't)

- Both mother and father need to be addressed in the TPR Findings of Fact and/or Order.
 - If one parent is deceased, or there is only one legal parent, this information must be specified in the court document.
- Court must then order a transfer of guardianship of the child to the commissioner of Human Services.

Minnesota Statutes, section 260C.325, subdivision 1

153

Termination of Parental Rights (con't)

- Specifically assigns the guardian and responsible social services agency, as the commissioner's agent, the **right to visit the child in foster care, adoptive placement, or any other setting at any time prior to adoption finalization.**
- Clarifies that the **commissioner's guardianship terminates at child's 18th birthday**, even if they continue in or re-enter foster care and the county agency has continuing legal responsibility for placement of the child.

Minnesota Statutes, section 260C.325, subdivision 4

Minnesota Statutes, section 260C.328

154

Consent of Parent to Adoption

- Voluntary
- Birth parent chooses adoptive parent, but **responsible county must agree with choice**
- Parental rights are terminated with adoption decree

Minnesota Statutes, section 260C.515, subdivision 3

155



Consent of Parent to Adoption (con't)

- This permanency disposition may be used regarding a child who is the subject of a CHIPS order and/or TPR petition.
- The birth parent identifies the adoptive resource for the child.
- If there is more than one legal parent, both parents must issue consent OR the court must order a TPR on the other parent.
- **The county responsible for the child's care must agree with the identified adoptive resource.**
- The proper form for this type of consent is DHS 3502.

Handout #2

156



Consent of Parent to Adoption (con't)



- The court must issue an order accepting the Consent of Parent to Adoption and an order transferring guardianship of the child to the commissioner of Human Services.
- If the parent is provided notices as required by statute, this type of consent is irrevocable upon acceptance by the court, unless fraud is determined by the same court.
- The parent's legal rights are not terminated until a decree of adoption is entered.
- Pending adoption finalization, the child is placed under guardianship of the commissioner the same as if a TPR had been ordered.

157

Consent of Parent to Adoption (con't)



- The adoption must be finalized by the identified prospective adoptive parent within **six** months of execution of the consent.
- The county must pursue adoptive placement in another home as soon as it is determined the identified adoptive parent cannot or will not adopt the child, the identified parent will not complete the steps necessary to finalize the adoption, or the **county or commissioner determines that adoption by the identified parent is not in the child's best interests.**
- **Only the prospective adoptive parent identified in the consent qualifies for adoptive placement of the child.**

Minnesota Statutes, section 260C.607, subdivision 7

158

Consent Under 260C vs. Consent Under 259

Consent Under 260C

- Used for a child who is the subject of a CHIPS order and/or TPR petition
- County must approve adoptive parent identified by birth parent
- Virtually irrevocable once accepted by court
- Adoption must be finalized within **6** months of execution

Consent Under 259

- Used for a child who has no involvement in the child protection system [private adoption]
- Birth parent [or agency] identifies adoptive parent
- Revocable for any reason within 10 days
- Minimum direction regarding timeframe to finalize the adoption

Minnesota Statutes, section 260C.515, subdivision 3

*Minnesota Statutes, section 259.47
Minnesota Statutes, section 259.25*

159



Adoption



- Parental rights of birth [or legal] parents are terminated [at some point] and adoptive parent(s) completely assume the rights and responsibilities for the child.
- Adoptive parent may be eligible to receive Adoption Assistance for the child, possibly to age 21, that is not means tested:
 - Medical Assistance
 - Non-recurring Adoption Expense Reimbursement (NRAE)
 - Monthly payment [maybe]
 - Reimbursement of special nonmedical expenses [maybe]

160

Transfer of Permanent Legal and Physical Custody (TPLPC)



- Parental rights of birth [or legal] parents are not terminated and the parents retain limited rights and responsibilities.
- TPLPC caregiver has primary rights and responsibilities for daily decision-making for the child, including: protection, education, care and control.
- **Placement decisions for TPLPC must be based on individualized determination of a child's needs based on 10 best interest factors.**

Minnesota Statutes, section 260C.193, subdivision 3 (a)

161

Transfer of Permanent Legal and Physical Custody (TPLPC) (con't)



- TPLPC caregiver may be eligible for financial assistance for the child, possibly up to 18th birthday:
 - **Combination of MFIP child-only grant and Relative Custody Assistance (RCA) that is means tested**
 - Medical Assistance

162

Custody vs. Guardianship

- Some states use the terms “custody” and “guardianship” interchangeably.
- Minnesota distinguishes between these two terms, but that may be changing in the future to coincide with federal *Fostering Connections* and passage of *Northstar Care for Children*.
- Other states may have a “subsidized guardianship” program that would be comparable to Minnesota’s RCA for TPLPC.



163

Northstar Care for Children (NC4C)

- Passed in 2013 Minnesota legislature – will be *Minnesota Statutes, Chapter 256N*.
- Takes effect on January 1, 2015.
- Creates a uniform set of benefits and processes for children age 6 and older in foster care, and former foster children who have been adopted or with TPLPC.
- Creates a Title IV-E financial program for TPLPC that will replace RCA.

164

Northstar Care for Children (NC4C) (con’t)

- Relies on a universal assessment tool for foster care, adoption and TPLPC – the Minnesota Assessment of Parenting Children and Youth (MAPCY).
- Grandfathers children under their existing programs until:
 - Child changes placement or legal status.
 - Child is specifically transitioned to NC4C.

165

Northstar Care for Children (NC4C) (con’t)

For more information on NC4C:

- DHS fact sheet:
<https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6736-ENG>
- Northstar page on CountyLink:
From CountyLink, click on DHS Program Resources, then on Northstar Care for Children
- Look for DHS notices about training sessions and information dissemination.

166

Long-term Foster Care Renamed

2012 legislation changed permanency disposition called “long-term foster care” to “permanent custody to agency”.

Minnesota Statutes, section 260C.515, subdivision 5

167

Permanent Custody to Agency (PCA)

- May only be court ordered for a child not under guardianship of the commissioner.

Minnesota Statutes, section 260C.515, subdivision 5

- A child under guardianship of the commissioner may not be ordered into PCA or LTFC (some grandfathered into LTFC, if ordered prior to 08/01/12).

Minnesota Statutes, section 260C.317, subdivision 3 (c)

- Care provider continues to receive foster care payments for the child.
- Foster care may continue to age 21 under certain circumstances.



168

Outcomes for PCA

Myriad research indicates that youth who age out of foster care without a permanent family generally have poorer outcomes than same age youth in the general population in the following measures:

- Education
- Employment
- Homelessness
- Early and unwed parenthood
- Incarceration or involvement in the corrections system
- Cost to community, including welfare receipt
- Satisfaction with life in general



Midwest Evaluation of the Adult Functioning of Former Foster Youth Northwest (or National) Foster Care Alumni Study 169

PCA and Aging Out Data

In 2012, 480 youth reached age 18 and aged out of foster care without achieving permanency.

54 of those youth were under guardianship of the commissioner.



Source:

Minnesota 2012 Child Welfare Report

170



Reducing the Number of Children in PCA

- Department of Human Services priority
- PCA may only be ordered if the court approves the agency's compelling reasons that no other permanency disposition order is in the child's best interests.

Practice Guide for Using Long-Term Foster Care, available online:

<http://edocs.dhs.state.mn.us/lfsrserver/Legacy/DHS-4862-ENG>

Resource #7

171

PCA: Requirements

- PCA court orders must document compelling reasons why no other permanency disposition order is in a child's best interests, in order to be compliant with state statute and IV-E regulations.
- Child must be 12 years of age or older, or be the sibling of a child age 12 or older and the siblings have a significant positive relationship and are ordered into the same foster home.
- Responsible agency has made reasonable, but unsuccessful, efforts to locate and place the child with an adoptive parent or a fit and willing relative who would agree to adopt the child or accept a TPLPC.

Minnesota Statutes, section 260C.515, subdivision 5

172

PCA: Requirements (con't)

- The parent will continue to have visitation or contact with the child and will remain involved in planning for the child.
- If the parent does not visit the child, maintain contact with the child, or participate in planning for the child as required, the responsible agency may petition the court to vacate an order for PCA and order another permanency disposition, including TPR, based on abandonment.
 - The court shall not require further reasonable efforts to reunify the child with the parent as a basis for vacating the order for PCA and order another disposition in the child's best interests.

Minnesota Statutes, section 260C.521, subdivision 3 (b)

173

PCA: Requirements (con't)

- At least every 12 months, a court permanency review hearing is required to determine the future status of the child, including review of the OHPP and the agency's reasonable efforts to finalize the permanent plan for the child.

Minnesota Statutes, section 260C.521, subdivision 1

174

LTFC

for Children Under Guardianship of the Commissioner

- As of August 1, 2012, a child under guardianship of the commissioner may no longer be court ordered into Permanent Custody to Agency (PCA) or Long-term Foster Care (LTFC).
- Youth who were court ordered into LTFC prior to August 1, 2012, may retain that legal disposition.

Minnesota Statutes, section 260C.317, subdivision 3 (c)

175

De Facto LTFC

for Children Under Guardianship of the Commissioner

- Court is prohibited from relieving an agency of the responsibility to recruit, identify and place a child under guardianship in an adoptive home.
Minnesota Statutes, section 260C.605, subdivision 2
- Permits frequency of court reviews for some children to be reduced to at least every six months:
 - Court must approve agency's efforts to recruit, identify and place the child in an adoptive home on a continuing basis for at least 24 months after guardianship order.
 - Child must be at least 16 years old.
 - Child's GAL must agree that review less frequently than every 90 days is in the child's best interests.

Minnesota Statutes, section 260C.607, subdivision 8

176

PCA vs. Adoption



- | | |
|---|--|
| <ul style="list-style-type: none"> • Commitment is until child reaches adulthood. • The child retains all services, including monthly social worker visits. • The parent receives monthly foster care benefits until the child reaches age 18, possibly to 21. • No legal parenting responsibilities outside of foster care licensing requirements. The birth parent or the commissioner retains guardianship; the county retains legal responsibility. | <ul style="list-style-type: none"> • Life-long commitment. • MA, services in AA Agreement [e.g., monthly payment, child care, respite care], CMH and DD services for eligible children through county. • The parent receives monthly Adoption Assistance benefits until the child reaches age 18, possibly to 21. • Legal rights and responsibilities as if the parent had given birth to the child. |
|---|--|

177

Re-establishment of Parental Rights

In 2013, the Family Reunification Act passed, adding Minnesota statute language permitting the re-establishment of the legal parent-child relationship in limited cases where a TPR had previously been ordered.

178

Re-establishment of Parental Rights (con't)

Key requirements:

- Responsible agency and county attorney must agree that re-establishment is in child's best interests.
- Petition may only be filed by county attorney.
- Parent must have corrected conditions that led to TPR.
- Parent must be willing and capable of providing day-to-day care of child and maintain child's health, safety, welfare.

179

Re-establishment of Parental Rights (con't)

Key requirements (con't):

- Child must continue in foster care at least 36 months post-TPR.
- Child must be 15 years of age or older.
- Child must not be adopted, or be the subject of an Adoption Placement Agreement.
- Child must want to live with parent.

Minnesota Statutes, section 260C.329

2013 Session Law, Chapter 30

180

Services for Older Youth

Permanency efforts
and
preparation for adulthood
must be done simultaneously



181

Permanency Efforts

- Reasonable efforts to achieve permanency:
 - Reunification
 - Assess non-custodial parent
 - Conduct relative search
 - Place siblings together or facilitate visitation
 - When a child cannot return home, plan for permanent alternative home, preferably through adoption or TPLPC.
- Reassess permanency efforts frequently.

Minnesota Statutes, section 260.012 (e)

182

Permanency Efforts from Initial Placement

- Relative search
- Child social and medical history
- Placement decisions
- Placement stability
- Visitation
- Understanding and explaining permanency options

183

Strategies to Achieve Permanency

- Family Engagement
 - Fathers
 - Extended Family
- Concurrent Planning
- Comprehensive Assessment
- Individualized Service Planning
- Youth Involvement

184

Goals for Permanency

Agency efforts must ensure all youth attain the highest level of permanency possible:

- Legal
- Physical
- Emotional/Relational
- Cultural

185

Legal Permanency Options

- Reunification
- Adoption
- Tribal customary adoption
- TPLPC
- Re-establishment of the legal parent-child relationship

186

Physical Permanency

- Safe, stable place to live
- Space dedicated to the youth [not couch hopping]

187

Emotional/Relational Permanency

- Primary attachments, family, and other significant relationships that offer trust and reciprocity
- Emotional safety and security within the context of a family relationship
- Lifelong connection with at least one unconditionally committed, caring, supportive adult

188

Permanent Connection With a Caring Adult

- An adult who consistently states and demonstrates that s/he has entered an unconditional, life-long parent-like relationship with the youth. The youth agrees that the adult will play this role in his or her life.

California Permanency for Youth Project definition

- **Permanency Pact**

www.fosterclub.com/files/PermPact_0.pdf

Resource #8



Cultural Permanency

Continuous connection to culture that includes:

- Family relationships
- Community
- Traditions, celebrations, holidays, events
- Language
- Religion or spirituality
- Diet
- Customs, values and beliefs related to clothing/dress

190

Preparation for Adulthood

- Casey Life Skills Assessment
- Independent Living Plan (ILP)
- Transition Plan
- SELF funds
- DHS grants
- ETVs
- Tuition waivers
- *Helping Youth Transition From Out-of-Home Care to Adulthood: Best Practices Guide*
- Web resources

MCWTS Curriculum:

Preparing Adolescents for Adulthood: Partnering for Success

191

Preparation for Adulthood (con't)

- *Casey Life Skills Assessment* – free online assessment to be completed by youth to guide development of ILP
- *Independent Living Plan (ILP)* – part of OHPP for all youth ages 16 and older, must address the following objectives:
 - Educational, vocational or employment
 - Health care and medical coverage
 - Transportation
 - Money management
 - Housing
 - Social and recreational skills
 - Establishing and maintaining connections with the child's family and community – permanent connection with a caring adult



Minnesota Statutes, section 260C.212, subdivision 1 (c)(11)

192

Preparation for Adulthood (con't)



- **Transition Plan**
 - For a child who will be discharged from foster care at age 18 or older, must be developed during the 90 day period immediately prior to expected date of discharge.
 - Plan must be personalized and directed by the youth.
 - Must include information on the importance of designating another individual to make health care treatment decisions on behalf of the child if the child becomes unable to participate in these decisions and the child does not have, or does not want, a relative who would otherwise be authorized to make these decisions. Plan must provide the child with the option to execute a health care directive as provided under Chapter 145C.

Minnesota Statutes, section 260C.203 (f)

193

Preparation for Adulthood (con't)

- Requires notice for youth expected to be discharged from foster care.
- Strengthens and clarifies court review process.
- Clarifies requirements for youth voluntarily in foster care ages 18-21:
 - Continuing in foster care
 - Returning to foster care
- Permits court to continue jurisdiction to youth's 19th birthday under some circumstances.

Minnesota Statutes, section 260C.193, subdivision 6
 Minnesota Statutes, section 260C.203, subdivision (e)
 Minnesota Statutes, section 260C.229
 Minnesota Statutes, section 260C.451



Positive Youth Development

- Best outcomes for youth will be achieved when youth are *involved* and *engaged* in developing and implementing their plan, whether that be:
 - Out-of-Home Placement Plan (OHPP)
 - Independent Living Plan (ILP)
 - Adoption recruitment plan
- Involve youth to the greatest extent possible based on their age and cognitive/developmental abilities.

195

DHS Adolescent Services: Resources

- Chafee (SELF) Programs
 Kim Lemcke, kim.lemcke@state.mn.us, 651-431-4686
- Healthy Transition and Homeless Prevention (HTHP) grants
 Kathleen Hiniker, kathleen.a.hiniker@state.mn.us, 651-431-4707
- Education and Training Vouchers (ETVs) and tuition waivers
 Jill VonHoltum, jill.vonholtum@state.mn.us, 651-431-4663

Adolescent Services' Best Practice Guides

Helping Youth Transition from Out-of-Home Care to Adulthood (DHS 6530)

<http://mn.gov/dhs>

Hover over: People We Serve
 Hover over: Children and Families
 Click on: Services
 Click on: *Adolescent Services*
 Click on: *Publications*
 Click on: title to open document

Resource #9

197

Adolescent Services' Best Practice Guides(con't)

Working with Lesbian, Gay, Bisexual, Transgender and Questioning/Queer Youth (DHS 6500)

<http://mn.gov/dhs>

Hover over: People We Serve
 Hover over: Children and Families
 Click on: Services
 Click on: *Adolescent Services*
 Click on: *Publications*
 Click on: title to open document

198

Family Support During Transition to Adulthood

Ages 18-34

- **Material assistance** – For youth living at home and living independently, parents provide an average of **\$38,000** in material assistance for food, housing, education or direct cash.
- **Time assistance** – Youth living away from home receive parental time assistance an average of **367 hours per year**, over **nine weeks of full-time** [40 hours/week] help.

Practice Ideas



Think about an 18-year-old youth you know and love.

Is that youth ready to be physically, emotionally and financially independent from his or her parents?

What supports does the youth need to develop into a responsible adult?

Permanency Decision: Guardianship Transfer for the Purpose of Adoption



201

Primary Adoption Focus

The priority of the Minnesota Department of Human Services' Adoption Unit is children under guardianship of the commissioner.

This impacts:

- Staff responsibilities and assignment priorities
- Resource allocation
- Policy development and implementation



202

Adoption Statutes Changed

- 2012 legislative changes moved adoption procedures for children under guardianship of the commissioner to **Minnesota Statutes, Chapter 260C** [from Chapter 259].
- Aligns adoption as part of the permanency continuum for children in the public child welfare system.
- Reorders provisions to make them logically sequential.
- Clarifies and improves existing requirements.

203

Other Types of Adoptions in Minnesota

- Agreement conferring authority to place (private agency)
Minnesota Statutes, section 259.25
- Direct adoptive placement (private agency or attorney)
Minnesota Statutes, section 259.47
- International
Minnesota Statutes, section 259.60
- Step-parent
- Adult
Minnesota Statutes, section 259.241
- Tribal customary adoption



204

Adoption Procedures

Adoption procedures in Minnesota are directed by:

- Federal Law
- Minnesota Statute
- Minnesota (Administrative) Rule
- Minnesota (Court) Rules of Adoption Procedure
- State Policies
- County Policies



205

Federal Laws Impacting Adoption



- Social Security Act, Title IV (Grants to States for Aid and Services to Needy Families with Children and for Child Welfare Services) 1935
 - Part A – Block Grants to States for Temporary Assistance for Needy Families (TANF)
 - Part B, Subpart 1 – Child Welfare Services
 - Part B, Subpart 2 – Promoting Safe and Stable Families
 - Part D – Child Support and Establishment of Paternity
 - Part E – Federal Payments for Foster Care and Adoption Assistance
- Indian Child Welfare Act (ICWA) 1978
- Adoption Assistance and Child Welfare Act 1980
- Multiethnic Placement Act and Interethnic Adoption Provisions of the Small Business Job Protection Act (MEPA-IEP) 1994 and 1996
- Adoption and Safe Families Act (ASFA) 1997
- Adam Walsh Child Protection and Safety Act 2006
- Fostering Connections to Success and Increasing Adoptions Act 2008

206

Minnesota Statutes Relevant to Adoption

- Minnesota Statutes, Chapter 260C
Child Protection, Foster Care, Adoption of children under guardianship of the commissioner
- Minnesota Statutes, Chapter 259
Adoption of children not under guardianship of the commissioner
- Minnesota Statutes, section 260.851 to 260.92
Interstate Compact on the Placement of Children (ICPC)



207

Minnesota (Administrative) Rules Pertinent to Adoption

- Minnesota Rules, Chapter 9560
Department of Human Services - Social Services for Children



208

Minnesota (Court) Rules of Adoption Procedure

- Court procedures based on existing law
- Developed by advisory group, including: judges, county attorneys, public defenders, court administrators, guardians ad litem, social workers, social service administrators and community stakeholders
- Effective January 1, 2005; most recent revision: **September 1, 2012**



209

State Policies Outlining Adoption Procedure

- R.I.P. Social Services Manual 
- Policies and procedures written by DHS and published on *CountyLink*:
 - *Foster and Adoption Placement Decisions*
 - *Sibling Placement, Separation, and Visitation*
 - *Do Not Resuscitate/Do Not Intubate (DNR/DNI) Orders*
 - *State Adoption Exchange and Other Child-Specific Recruitment Activities*
 - *Statewide Adoption Email Listserv* 

MN Guardianship Data

(Minnesota's Child Welfare Report 2012)

Year	2009	2010	2011	2012
Entering Wards	651	507	505	503
Total Under Guardianship as of Dec. 31 st	1,011	840	770	696
Ward Adoptions	652	588	521	524

211

MN Guardianship Data: Age

Of the **696** children under guardianship of the commissioner on 12/31/12:

- 181 (26%) were ages 0-3
- 84 (12%) were ages 4-5
- 196 (28%) were ages 6-11
- 106 (15%) were ages 12-14
- 129 (19%) were ages 15-17



Minnesota's Child Welfare Report 2012

212

MN Guardianship Data: Race



Of the **696** children under guardianship of the commissioner on 12/31/12:

- 347 (50%) were White
- 183 (26%) were African American/Black
- 53 (8%) were American Indian
- 11 (2%) were Asian
- 94 (14%) were two or more races
- 82 (12%) were Hispanic ethnicity – any race

Minnesota's Child Welfare Report 2012

213

MN Guardianship Data: Gender

Of the **696** children under guardianship of the commissioner on 12/31/12:

- 352 (51%) were male
- 344 (49%) were female



Minnesota's Child Welfare Report 2012

214

MN Guardianship Data: Status

Of the **892** children under guardianship of the commissioner on 09/09/13:

- 332 (37%) were in adoptive placements [APA signed]
- 36 (4%) were in court-ordered LTFC
- 524 (59%) were "waiting" for an adoptive family



SSIS-Adoption Data

215

Minnesota's Waiting Children

Minnesota's "waiting" children:

- Are under guardianship of the commissioner
- Are not yet in an adoptive placement [no APA signed]
- Are not in court-ordered long-term foster care



216

Minnesota's Waiting Children

On September 9, 2013, there were **524** "waiting" children. The average Minnesota "waiting" child:



- Is age 10 and older
- Is a child of color
- Is part of a sibling group that needs to be adopted together
- Has one or more identified special needs

217

SSIS-Adoption Data

MN Guardianship Data: Special Needs

Of the **524** "waiting" children on 09/09/13:

- 43% were ages 10 and older
- 52% were children of color
- 40% had psychological or medical disability listed as their primary barrier to adoption
- 19% had member of sibling group listed as their primary barrier to adoption*



SSIS-Adoption Data

MN Guardianship Data: Waiting Time



Of the **524** children who were under the guardianship of the commissioner and adopted in 2012:

- The average number of days from TPR to APA signed was 264
- The average number of days from APA to finalization was 200
- The average number of days from TPR to finalization was 464

219

Minnesota's Child Welfare Report 2012

Doing the Work of Adoption



220

2012 Legislative Changes Related to Adoption

- Requirements for adoptions of children under guardianship moved from Chapter 259 to 260C.
- Specifies requirements for agency to make reasonable efforts to finalize an adoption and outlines content of court hearings to review progress toward adoption.
- Specifically requires review of progress toward finalization even if appeal is made of guardianship order, but may not finalize the adoption.

Minnesota Statutes, section 260C.605

Minnesota Statutes, section 260C.607

221

Reasonable Efforts to Finalize an Adoption

- Use age-appropriate engagement strategies with child.
- Make individualized determination of child's needs based on 10 best interest factors required in section 260C.212, subd. 2 (b).
- Making adoptive placement that meets child's needs:
 - Completing or updating relative search required in section 260C.221 and giving notice of the need for an adoptive home for the child

222

Reasonable Efforts to Finalize an Adoption (con't)

- Engaging the child's foster parent and relatives identified as an adoptive resource during the search required under section 260C.221, to commit to being the prospective adoptive parent of the child
- When there is no identified prospective adoptive parent, recruitment efforts to identify new adoptive resource.

223

Reasonable Efforts to Finalize an Adoption (con't)

- Completing and updating child's social and medical history.
- Making ICPC referrals.
- Giving required notice of adoptive parent responsibilities to prospective adoptive parents as required under section 259.35.

224

Reasonable Efforts to Finalize an Adoption (con't)

- Facilitating adoption assistance (AA):
 - Offering parent opportunity to apply or decline
 - Certifying child for AA and assessing eligibility amount.
- Placing siblings together.
- Working with parent to file adoption petition.

Minnesota Statutes, section 260C.605, subdivision 1

225

State vs. County



State

- Directs legislative activity
- Develops policies impacting procedures
- Supports counties through technical assistance/training and policy bulletins/best practice guides
- Receives and distributes federal funding
- Reports/responds to the feds

County

- Provides child welfare services, as statutorily mandated
- Serves most case management functions
- Develops procedures that meet statutory requirements, state policies and best practices
- Interacts routinely with court
- Supplies majority of funding

226

Role of the Minnesota Department of Human Services

DHS partners with county and tribal social service agencies and licensed private adoption agencies to carry out the tasks required to legally finalize adoptions, particularly of children under guardianship of the commissioner. DHS provides:

- consultation, training and technical assistance
- technical writing: policy bulletins, best practice guides, tools
- commissioner's authorization for non-delegated consents
- policy interpretation, analysis, development and implementation
- Adoption Assistance Program implementation, including eligibility approval and funding
- MN ADOPT grant contract, including: State Adoption Exchange; adoption-related information, referral and training; crisis and intensive post-adoption services
- Public/Private Adoption Initiative (PPAI) grant contracts and Purchase of Service (POS) contracts to assist counties with adoption work

Duties of the Commissioner



228

Commissioner's Exclusive Rights and Duties



- Issue consent for:
 - Medical care plan for child at imminent risk of death, including do not resuscitate/do not intubate (DNR/DNI) orders
 - Child donating part of their body to another person while child is living

229

Commissioner's Exclusive Rights and Duties (con't)



- Duty to:
 - Process requests for ICPC
 - Process applications for adoption assistance
 - Review and execute Adoption Placement Agreements (APAs)
 - Maintain records as required in Chapter 259
- All duties, obligations, and consents not specifically reserved to the commissioner in this section are delegated to the responsible social services agency.

230

Minnesota Statutes, section 260C.615

Changes to Commissioner's "Non-Delegated" Consents

2012 legislative changes:

- Eliminated requirement for commissioner to issue consent for adoption of a child under guardianship. Consent by the commissioner or responsible agency is not required because the adoptive placement was made by the responsible social services agency and approved by the commissioner.
- Transferred responsibility for consent of sibling separation from commissioner to court. Court process, including required notices, outlined in statute.

Minnesota Statutes, section 260C.629, subdivision 1 (c)

Minnesota Statutes, section 260C.617

231

Do Not Resuscitate/ Do Not Intubate (DNR/DNI) or other End-of-life Care Orders



232

DNR/DNI Orders

- County SW may submit a request for the commissioner's consent for a DNR/DNI order for a child under guardianship of the commissioner.
- Intended to address imminent, life-threatening medical crises, not to provide a long-term response for a chronic illness.
- Significant medical documentation must accompany the county's request.
- DHS program staff rely on the state medical director to review requests and issue a recommendation whether the commissioner should grant or deny the request.



Resource #10

233

Responsibilities of Social Services Agency as Commissioner's Agent



234

Delegated Responsibilities

- Generally, the responsibility for decision-making regarding the daily care of children under guardianship of the commissioner is delegated to county social service agencies.

*Minnesota Statutes, section 260C.325, subdivision 4
Minnesota Rule 9560.0450, subpart 1*

- The commissioner specifically delegates to the county agencies the responsibility to make **adoption and foster care placement decisions**.

Minnesota Statutes, section 393.07, subdivision 2



235

Social Service Agency as Commissioner's Agent

County responsibilities:

- **Making adoptive placements**
- **Disclosing private data to prospective adoptive parents for the purpose of identifying an appropriate parent willing and able to meet the child's needs**
- **Placing siblings together**
- **Prohibiting delay or denial of placement based on race, color or national origin of the parent or child**

236

Social Service Agency as Commissioner's Agent (con't)

- Maintaining permanent record on a child required under section 259.79
- Providing death notification
- Providing terminal illness notification
- Providing post-adoption search services required under section 259.83

Minnesota Statutes, section 260C.613

237

Adoption Process Checklist for Children Under Guardianship of the Commissioner (DHS 6542)

- Developed in 2005 by DHS Adoption and DHS SSIS staff with input from county social workers
- Officially launched in September 2005
- Has been updated numerous times
- Current version is dated 1-13



Handout #3

238

Adoption Process Checklist for Children Under Guardianship of the Commissioner (con't)

Purpose is to:

- Provide county social workers with a clear guide of the required steps to legally finalize the adoption of a child under guardianship of the commissioner.
- Document in the case file completion of each step of the adoption process.



Adoption Process Checklist for Children Under Guardianship of the Commissioner (con't)

Tips for using the checklist:

- The version date of the checklist is now in the **upper right corner** of the document.
- Applicable statutes and rules are cited throughout the checklist.
- Applicable DHS forms and SSIS documents are referenced throughout the checklist.
- The steps are written in logical order as much as possible, but many steps should be completed concurrently, rather than consecutively, and some steps may be completed out of order.



Adoption Process Checklist for Children Under Guardianship of the Commissioner (con't)

Where to find the most recent version of the checklist:



- Adoption and guardianship website on CountyLink: <http://www.dhs.state.mn.us/CountyLink>
Click on: *DHS Program Resources*, then on *Adoption and guardianship* then click on *Adoption Process Checklist for Children Under State Guardianship* under Tools
- eDocs, available at:
<https://edocs.dhs.state.mn.us/lfsrver/PUBLIC/DHS-6542-ENG>

241

SSIS Training Module

Written document that outlines the steps a county social worker must follow to complete adoption work in SSIS.

Available online:

<http://mn.gov/dhs>

- click on: **Partners and Providers**
- click on: **Counties and Tribes**
- click on: **CountyLink website**
- click on: **DHS Systems & IT Updates**
- click on: **SSIS**
- under **Training**, click on: **Documentation**
- under **Adoption – County and Tribal**, click to open: **Adoptions module**

242



State Guardianship

- After a court ordered TPR or court's acceptance of a Consent of Parent to Adoption under 260C and guardianship transfer to the commissioner, court administration must send certified copies of the applicable court documents to DHS.
Minnesota Statutes, section 260C.317, subd. 3
Minnesota Statutes, section 260C.515, subd. 3 (6)
- DHS must verify that the court orders received are acceptable according to DHS policy.
- The county SW enters and verifies data in SSIS that notifies DHS of a new child under guardianship of the commissioner.

243

State Guardianship (con't)

- The county SW generally enters the court hearing date as the effective date of guardianship status.
- DHS uses the judge's signature date on the order as the effective date unless the court order specifies another effective date [e.g., the hearing date].
- These date discrepancies have major impact on the APA and other required documents.



244

State Guardianship (con't)

- If child has previously been adopted, verify that adoption history information is entered accurately in SSIS.
- Indicate whether the child's previous adoption was:
 - Through the Minnesota foster care system
 - Another state's foster care system
 - Private agency adoption
 - International adoption



State Guardianship (con't)

County SW must send a *photocopy* of the child's *birth certificate* to DHS. A *certified* copy of the birth certificate will eventually need to be provided to the court for the adoption proceeding. If a county also requires a *certified* copy of the birth certificate for the child's county case file, two certified copies of the birth certificate will be needed by the county.



246

Recruitment Activities



- **General:** Mass marketing methods to raise public awareness of children under guardianship of the commissioner waiting for adoptive families. [TV/radio ads, billboards](#)
- **Targeted:** Recruitment efforts concentrated on a specific population, neighborhood, etc. to develop an available pool of adoptive families that reflect the children available for adoption. [African American churches, Hmong community events, bus benches in specific neighborhoods](#)
- **Child-specific:** Tools to identify an appropriate adoptive family willing and able to meet the identified needs of a specific child. [Relative searches, organizations associated with a child's special need, descriptions and photos for brochures](#)

249

State Adoption Exchange (SAE)

- Computer-based recruitment tool for children under guardianship who need a new resource adoptive placement (not being adopted by relative or foster parent).
- Three components:
 - **Secure matching site – password protected; access authorization required**
www.mnadopt.org/sae
 - **Public photo web listing – no security**
www.mnadopt.org/meetthekids.php
 - **Adoption email listserv – access authorization required**

248

SAE Secure Matching Site

- Computer system listing waiting children and home studied families that generates potential matches based on five child criteria:
 - Age
 - Gender
 - Race/ethnicity
 - Sibling status
 - Level of special needs

249

SAE Secure Matching Site (con't)



- County SW enters and verifies data in SSIS that is transmitted electronically to DHS as a State Adoption Exchange event.
- Data entry options to meet this SAE requirement:
 - [Exempt](#)
 - [Deferred](#)
 - [Registered](#)
- This information must be submitted to DHS within 45 days of the child becoming legally free for adoption.

Minnesota Statutes, section 259.75

Minnesota Statutes, section 260C.605, subdivision 1 (d)(3)(iv)(A)

Resource #11

250

Exempt



- County SW will code an exemption from SAE registration if child is in an adoptive placement with a signed Adoption Placement Agreement (APA).
- County SW must submit APA **plus other required form and all applicable documentation** to DHS.
 - [Specific forms and documentation required for adoptive placement will be discussed later in session.](#)

251

Deferred



- County SW will code a deferral from SAE registration if:
 - The child's foster parents or others are considering adopting the child;
 - Diagnostic study or testing is required for the child; or
 - The child is in a *hospital* [not RTC] setting and is unable to live in a family
- A deferral is valid for 90 days for requests meeting the first two conditions. No subsequent deferral is allowed.

Minnesota Statutes, section 259.75, subdivision 8

252

Registered



- “Registered” means that sufficient detailed information regarding the child has been entered so that the child may be listed on the State Adoption Exchange (SAE) secure site.
- Registered information received by DHS is forwarded to the Minnesota Adoption Resource Network (MARN), who manages the SAE under the MN ADOPT grant contract with DHS.

253

Additional Recruitment Efforts



- Internal county resources of home studied families
- Recruitment description/photo on the state (www.mnadopt.org) and national (www.adoptuskids.org) public photo web listings [part of SAE] – contact MN ADOPT
- Adoption listserv recruitment description [part of SAE] – contact DHS to become a member
- Local newspaper feature – contact MN ADOPT for *Minneapolis StarTribune*
- “Thursday’s Child” segment on KSTP-TV – contact MN ADOPT
- Miscellaneous events [e.g., Timberwolves event]
- Permanency Task Force presentation – contact MN ADOPT
- Child-specific recruitment [PPAI] – contact PPAI agency or DHS

254

Resource #12

Public/Private Adoption Initiative (PPAI)

- DHS contracts with 8 private adoption agencies to provide services to assist counties finalize adoptions of children under guardianship.
- Services:
 - Recruits, trains and home studies a pool of prospective adoptive parents; enters parent information on the State Adoption Exchange for computer-generated potential matches with waiting children
 - Child-specific recruitment – Intensive adoption recruitment efforts using The Homecoming Project model; generally developed for older youth due to engagement component
 - Post-placement support.

255

PPAI (con’t)

- Agencies:
 - Ampersand Families
 - Bethany Christian Services
 - Children’s Home Society & Family Services
 - Family Focus
 - HOPE Adoption & Family Services
 - Kindred Family Services
 - Lutheran Social Services
 - North Homes
- DHS Contact:
 - Emily Palmer, PPAI grant contract manager
emily.palmer@state.mn.us or 651-431-4712

256

Adoption Listserv

Email communication device for county and PPAI adoption social workers, administered by DHS.
adoption-workers@lists.state.mn.us



- Purposes:
 - Recruitment tool – descriptions of waiting children and home studied families
 - DHS announcements, information dissemination
 - Training opportunities and events through MN ADOPT and other agencies/organizations
 - Venue to discuss practice issues
- To add your name to the adoption listserv, contact Ami Nafzger, DHS Adoption Unit supervisor, at: ami.nafzger@state.mn.us or 651-431-4508.

Resource #13

257

Older Youth [Ages 12+]

- Teens are cognitively, developmentally and emotionally distinct from younger children.
- Psychological tasks of adolescence – primarily to separate from family – becomes much more complex for foster and adopted youth.
- Imagine the impact on development of going into foster care and move from place to place.
- Fundamental practice in successful adoption recruitment for older youth is involving the youth in the process.

258

Importance of Involving Older Youth in Adoption Planning

- Youth 14 years of age and older must consent to his/her adoption by a specific person.

Minnesota Statutes, section 260C.629, subdivision 1 (b)

- Considerations for youth under age 14.

259

Engaging Youth in Permanency Planning

- Take time to build a trusting relationship with the youth.
 - Visit and speak to the youth consistently and frequently.
 - Get to know the youth's history, hopes, dreams, fears, interests, talents, etc.
 - Always be honest, do what you say you are going to do, and never make promises you cannot keep.
 - Speak respectfully about the youth's birth family.



260

Resource #14

Engaging Youth in Permanency Planning (con't)

- Do not talk about "adoption" right away...or maybe ever.
- Explain to youth that developing new relationships does not require ending past or current connections.
- Talk proactively about the ambivalence youth will experience and make plan to deal with resistance that may develop.

261



Engaging Youth in Permanency Planning (con't)

- Talk to youth often about permanency in a way that is meaningful.
 - Explain the range of permanency options.
 - Ask youth to visualize his or her life in 1, 5, 10+ years.
 - Discuss why it is important for everyone to have people to depend on, while they are children and as adults.
- Assist the youth to create a life book.

Engaging Youth in Permanency Planning (con't)

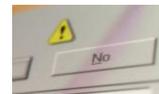
- Partner with youth to the greatest extent possible to develop an appropriate recruitment plan.
 - Collaborate on genograms, timelines and placement maps and talk about people important to the youth.
 - Talk to youth about what kind of family youth wants and needs.
 - Allow youth to drive the permanency plan:
 - Select recruitment activities
 - Provide input into recruitment descriptions and photos
 - Decide how much information the youth wants to know, and when, about specific work you are doing.

263

Resource #15

Engaging Youth in Permanency Planning (con't)

- Explain to youth that developing new relationships does not require ending past or current connections.
- Understand that the youth will be ambivalent.
- Investigate what the youth's "no" may really mean.



264

Moving Beyond “No” with Youth: Starting the Conversation

- Possibilities to consider include:
 - Issues around names
 - Focus on adding, not limiting, family
 - Young adults (18 and over) can consent to their own adoption (no TPR needed)
- Conversation starters could include:
 - When you are older and need advice about buying a car, or taking care of a baby in the middle of the night, who might you call?
 - If you were going to be part of a family, what would be the best part? Hardest part?
- Think incrementally:
 - “No” is the beginning of the conversation



265

Moving Beyond “No” with Caregivers: Addressing Concerns

- Permanency vs. Placement
- Clarify the various permanency options
- Cultural concerns
- Financial concerns
 - Explore alternatives
 - Be honest
- Start slowly



266

Moving Beyond “No” with Social Workers and Supervisors

- You Gotta Believe!
 - False *hope* is better than false *hopelessness*.
- Do social workers, supervisors and management believe in and support the philosophy of permanency for all children and youth?

267

If we wait for a youth to get better or to be **stable** or to resolve birth family issues or to be **excited about adoption** or to learn to attach or to stop cutting or to get school under **control** or to **stabilize** on meds or to **complete treatment** or to pay off restitution or to stop sexualized behaviors or to **be nice to pets** or to be nice to little kids or to **stop hoarding food** or to start eating balanced meals or to stop smoking pot or to **be grateful...**

...we will never begin permanency efforts.

268

Instead...

- It is the **parent** not the youth that needs to be ready.
 - Parent received and understands all known information about the youth
 - Services and resource in place to meet the youth's identified needs
 - Plan for on-going, pro-active support, even after the case closes
- Tomorrow's relationships are at least as important as today's crises.

269

Perspective

For children under guardianship of the commissioner, county social workers are searching for families for children not children for families. This is a slight, but important distinction.



270

Placement Decisions



- Placement decisions should be made with a team decision-making model.
- **Every** foster and adoptive placement must be documented in the child's case file. The placement decision must be documented in the Out-of-Home Placement Plan (OHPP).

Minnesota Statutes, section 260C.212, subdivision 1 (c)(1)

271

Placement Decisions (con't)



- Placement decisions must be based on the **best interests of a child**.
- Best interests are met by requiring an **individualized determination of the needs of a child and an assessment of how the selected placement will serve the needs of the child being placed**.

Minnesota Statutes, section 260C.212, subdivision 2 (a)

Minnesota Statutes, section 260C.613, subdivision 1 (b)

272



Placement Decisions (con't)

Three step process for making placement decisions:

1. Identify the individual needs of the child based on the 10 best interest factors.
2. Assess how a prospective parent is able or not able to meet the child's identified needs.
3. Document how the selected placement meets the child's identified needs.

Handout #4

273

Placement Decisions (con't)



Consider placement with relatives and important friends in the following order:

- 1) **With an individual who is related to the child by blood, marriage or adoption;**
- 2) **With an individual who is an important friend with whom the child has resided or had significant contact.**

Minnesota Statutes, section 260C.212, subdivision 2 (a)

274

10 Best Interest Factors

Among the factors the agency shall consider in determining the needs of the child are the following:

- 1) Child's current functioning and behaviors;
- 2) Child's **medical needs**
- 3) Child's **educational needs**
- 4) Child's **developmental needs**
- 5) Child's history and past experiences
- 6) Child's religious and **cultural needs**
- 7) Child's connection with a community, school, and faith community
- 8) Child's interests and talents
- 9) Child's relationship to current caretakers, parents, siblings, and relatives
- 10) Reasonable preference of the child, if the court, or the child-placing agency in the case of a voluntary placement, deems the child to be of sufficient age to express preferences.

Minnesota Statutes, section 260C.212, subdivision 2 (b)

275

Current Functioning and Behaviors

- Age
- Personality
- Personal daily care skills and needs
- Diagnoses and how they affect/impact daily functioning
- Services received/interventions utilized for diagnoses/needs
- Severity, frequency and duration of challenging behaviors
- Typical daily schedule

Medical Needs

- Relevant birth history information
- Past issues regarding medical, dental and mental health needs
- Current medical, dental and mental health status and care needs
- Medications
- Allergies, including food allergies
- Status of required immunizations

Educational Needs

- Grade in school
- Current school status and educational progress
- Services received or interventions utilized for identified educational issues
- School subjects in which child excels or struggles

278

Developmental Needs

- Developmental history, including age at which milestones were reached
- Developmental areas that are delayed
- Services received or interventions utilized for identified developmental issues

279

History and Past Experience

- Child's life with birth parent(s) and/or extended family
- Specific reason(s) child was removed from parent and/or TPR was ordered
- Description of abuse/neglect/ abandonment experiences and grief/ loss/attachment issues
- Summary of important events in child's life

Religious and Cultural Needs

Religion:

- Birth parent's stated religious preference
Minnesota Statutes, section 260C.193, subdivision 3 (e)
Minnesota Statutes, section 259.29, subdivision 2
- Summary of child's experience attending spiritual/faith services, groups, activities, etc.
- Child's participation in spiritual rites/rituals

Religious and Cultural Needs (con't)

Culture:

- Language(s) spoken, written and understood
- Type of community in which the child has predominantly resided [e.g. urban, suburban, rural]
- Type of family structure in which the child has predominantly resided [e.g. two parents/single parent, only child/multiple children, extended family or kin, foster parent, pets, etc.]
- Summary of school and/or community activities/events/sports in which child has participated
- Specific requirements for hair/skin care
- Family traditions observed
- Family and/or community holidays/events celebrated
- Specific diet followed [e.g. vegan, kosher]

Religious and Cultural Needs (con't)

Culture (con't):

- Customs, values and beliefs regarding clothing/dress
- Customs, values and beliefs regarding child-rearing practices [e.g. demonstrations of affection, observance of boundaries, expectations/norms of behavior, educational attainment, work ethic, family structure, recreational activities, etc.]

Please note: These examples are concrete ways to describe a person's culture. None of these examples are synonymous with prohibited consideration of race, color or national origin.

Connection with a Community, School and Church

- Length of time child has resided in current home/neighborhood/community
- Length of time child has attended a particular school and/or church
- Level/quality of child's integration into community, neighborhood, school and/or place of worship
- Summary of involvement in activities through community, school and faith community

Interests and Talents

- Sports
- Leisure/recreational activities
- Hobbies
- Types of play/what child chooses to do in free time
- Skills/areas of competence
- Favorites [e.g. foods, school subjects, TV shows or movies, music, books, comfort items, etc.]
- Future goals, dreams, aspirations, plans

Relationships to Current Caretakers, Parents, Siblings and Relatives

- Level/quality of attachment to current care provider
- Level/quality of relationship with birth parents, siblings, relatives and other important people
- Detailed information about siblings, if not living with child
- Persons with whom the child must be kept in contact
- Specific requirements of formal communication or contact agreements

Reasonable Preference, if child is of sufficient age

- If a child is 14+ years old, the child's written consent [DHS 1956 form] is required in order to be adopted. Signing the required consent would document reasonable preference.
- "Sufficient age" is not prescribed, but should include consideration of a child's age and developmental/cognitive abilities.

Other Placement Considerations

- Placement of a child cannot be delayed or denied based on race, color, or national origin of the foster/adoptive parent or the child.

Minnesota Statutes, section 260C.212, subdivision 2 (c)

Minnesota Statutes, section 259.57, subdivision 2 (c)

- Policy Bulletin # 12-68-02: *Clarifying Culture in Placement Decisions*, issued in 2003, updated in 2007, 2009, 2012, available online:

http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_167606.pdf

MCWTS Curriculum:

Culture and Permanency Considerations in Matching Children with Families

Resource #16

288

Federal Laws Applicable to Placement Decisions

- Howard M. Metzenbaum Multiethnic Placement Act (MEPA) of 1994 [P.L. 103-382]
- Amended by the Small Business Job Protection Act of 1996, section 1808, “Removal of Barriers to Interethnic Adoption” (IEP) [P.L. 104-188]

State Statutory compliance:

Minnesota Statutes, section 260C.212, subdivision 2 (c)

289

MEPA Original Requirements

- Placement of a child in a foster or adoptive home could not be denied or delayed solely because of the race, color or national origin of the child or the prospective parent.
- Regarding placement decisions, the law expressly permitted consideration of the racial, ethnic or cultural background of a child and the capacity of a prospective parent to meet the child’s needs, if this consideration was one of a number of factors used to determine the best interests of a child.
- Required states to make efforts to recruit foster and adoptive families that reflect the racial and ethnic diversity of children in need of care.²⁹⁰

IEP Amended MEPA

- Clarified that race, color or national origin may be considered only in *rare circumstances* when making placement decisions.
- Expressly stated that placement cannot be denied or delayed because of race, color or national origin.
- Removed language that allowed routine consideration of race, color or national origin in assessing both the best interests of a child and the capacity of a prospective foster or adoptive parent to meet the needs of the child.
- Reiterated focus on Civil Rights Act of 1964.
- Added enforcement provision that penalizes states that violate the amended act.

291

Diligent Efforts Vs. Denying/Delaying Placement

- Diligent efforts to recruit a *pool of prospective foster and adoptive parents* that reflect the racial and ethnic diversity of children needing foster and adoptive families are required. **HOME STUDY PROCESS**
- Federal and state law prohibits the consideration of race in making *individual decisions* regarding foster or adoption placements. **MATCHING PROCESS**

292

Consideration of Culture in Placement Decisions

- Culture may be described as:
 - System of values, beliefs, attitudes, traditions and standards of behavior that governs the organization of people into social groups and regulates individual and group behavior.
 - Having the ability to be learned, developed and changed.
- Culture is not an ascribed characteristic, which generally refers to properties of an individual over which that individual has very little, if any, control.
 - Examples of ascribed characteristics: race, ethnicity, color, national origin, gender, circumstances of birth.

293

Consideration of Culture in Placement Decisions (con’t)

EVERY adoptive
and foster placement
is **transcultural**.

294

Rare Circumstances to Consider Race, Color or National Origin

- Making a placement decision considering race, color or national origin must meet a “strict scrutiny” standard, the highest standard of Constitutional review.
 - *Compelling government interest/necessity to accomplish a legitimate state purpose - advancing the best interests of a child*
 - “Best interests of a child” must be defined on a narrow, case-specific [i.e. *individual*] basis
- Case documentation of best interests must be clear and thorough.

Rare Circumstances to Consider Race, Color or National Origin (con’t)

Example:

An older youth, whose consent is legally required to finalize an adoption, will not consider placement with a family of a specific race or will only consider placement with a family of a specific race.



Other Placement Considerations (con’t)

- Siblings should be placed together for foster care and adoption at the earliest possible time unless it is documented that a joint placement would be contrary to the safety or well-being of any of the siblings or unless it is not possible after reasonable efforts by the responsible social services agency.

Minnesota Statutes, section 260C.212, subdivision 2 (d)

- Except for emergency placement as provided for in section 245A.035, a completed background study is required under section 245C.08 before the approval of a foster placement in a related or unrelated home.



Other Placement Considerations (con’t)

- Least restrictive, most family-like, setting
- In close proximity to the home of the child’s parent(s) when the case plan goal is reunification

Minnesota Statutes, section 260C.212, subdivision 1 (c)(1)

- In close proximity to the school in which the child was enrolled at the time of placement

Minnesota Statutes, section 260C.212, subdivision 1 (c)(7)

Placement Decisions for American Indian Children

- Indian Child Welfare Act of 1978
- Minnesota Indian Family Preservation Act (1985)
 - *Minnesota Statutes, sections 260.751 to 260.835*
- Tribal State Agreement (1998)
 - *Amended in February 2007*

MCWTS Curricula:
Indian Child Welfare Act (ICWA)
Bridging Our Understanding: American Indian Family Preservation

Minnesota Statutes and Rule Applicable to Placement

<p><u>Statutes</u></p> <ul style="list-style-type: none"> ● § 259.29 ● § 259.31 ● § 259.57, subd. 2 ● § 260C.178, subd. 1 (k) ● § 260C.193, subd. 3 ● § 260C.212, subd. 1 ● § 260C.212, subd. 2 ● § 260C.221 ● § 260C.521, subd. 1 ● § 393.07, subd. 2 	<p><u>Rules</u></p> <ul style="list-style-type: none"> ● 9560.0060 ● 9560.0110 ● 9560.0223 ● 9560.0542 ● 9560.0545 ● 9560.0603 	
--	--	---

Statutes and Rules may be found online at:
www.revisor.mn.gov

MCWTS Curriculum:
Foster Parent to Adoptive Parent: Making the Decision for a Lifetime Commitment

Reviewing Home Studies and Making Matches

- Approved adoption home study now required for any person adopting a child under guardianship.
- Potential strengths of prospective adoptive parents
- Potential red flags of prospective adoptive families
- Matching tools
- SW bias



MCWTS Curriculum:

Conducting Home Studies and Matching Children with Families 301

Families for Older Youth

- Often do not look like “traditional” families.
- Understand and respect the connections the youth has and is proactive in helping youth maintain these connections in a safe and healthy way.
- Not motivated to adopt in order to fulfill their own emotional needs.
- Flexible yet structured.
- Are not threatened if the youth does not call them “mom” or “dad”.
- Accommodating if the youth does not want to change his or her last name.
- Can deal with youth’s ambivalence.

302

Practice Ideas



Think about a child you know and love.

How critically would you take the responsibility of choosing the foster or adoptive family to best meet this child’s needs?

303

Organizational Support for Placement Decisions

- What priority/value does your agency place on team decision-making for all placement decisions?
- How does your agency engage external partners, who also know the child, to participate in the decision-making process?
- How does your agency work to limit the number of placements a child must experience?

304

Things to Consider



- What factors make placement decisions complex?
- What assessment process are you using to make placement decisions?
- Where are placement decisions documented?
- How does the selected placement preserve the child’s connections?
- Does your county provide quality assurance in this practice area?

305

Adoption Placement Procedures



306

Prior to Adoptive Placement

Before a foster care placement may be changed to an adoptive placement OR before a child is moved to a new resource adoptive placement:

- County must have a copy of the adopting parent's approved adoption home study including background study clearances for adoption.

Minnesota Statutes, sections 260C.611 and 259.41, subdivision 1

- County must have provided the adopting parent(s) with a copy of the child's social and medical history plus redacted copies of all relevant attachments.

Minnesota Statutes, section 259.43

Minnesota Statutes, section 260C.609

Minnesota Rule 9560.0060, subpart 2 (A) and (B)

307

Required Documentation for Adoptive Placement

- Counties now required to send DHS documentation of all adoption placement decisions for review earlier in the process.
- Adoption Placement Agreement (APA) (DHS 0312) form has been *amended*.
- Adoption Placement Decision Summary (DHS 0312A) is *new* form that must be completed and submitted with the APA.

Handouts #5 and #6

308

Hints for the Adoption Placement Agreement (APA) (DHS 0312)

- The "effective date" of the APA should be:
 - The date the child moves into the home [for a new resource placement]; or
 - The date determined by the county and the adopting parent that the placement has changed from foster care to adoptive status [for a foster parent adoption].
- The "effective date" of the APA for a foster parent adoption is not the date the child moved into the home as a foster care placement.
- The "effective date" of the APA cannot be prior to the judge's signature date [or effective date] on the TPR or other permanency court order.

309

Adoption Placement Decision Summary (DHS 0312A)

- Must be submitted with APA (DHS 0312)
- Requires information and documentation related to:
 - Individualized determination of child's needs based on 10 best interest factors
 - Assessment of the preadoptive parent's ability to meet the child's identified needs
 - Summary or relative search efforts under 260C.221
 - Sibling status
 - Adoption background study (criminal and social services background checks)
 - Child's social and medical history

310

Individualized Determination of Child's Needs Based on 10 Best Interest Factors

- Required for every foster and adoptive placement.

Minnesota Statutes, section 260C.212, subdivision 2 (b)

Minnesota Statutes, section 260C.613, subdivision 1 (b)

- Required component of OHPP.

Minnesota Statutes, section 260C.212, subdivision 1 (c)(1)

- Enter information about child under all 10 best interest factors in section A OR attach copy of OHPP, if it is current and completed thoroughly.

311

Assessment of Preadoptive Parent's Ability to Meet Child's Needs

- Required for every foster and adoptive placement.

Minnesota Statutes, section 260C.212, subdivision 2 (b)

Minnesota Statutes, section 260C.613, subdivision 1 (b)

- Required component of OHPP.

Minnesota Statutes, section 260C.212, subdivision 1 (c)(1)

- Enter description how the preadoptive parent(s) meets the child's identified needs in section B OR attach copy of OHPP, if it is current and completed thoroughly.

312

Summary of Relative Search Efforts

- Required for every case. **Must report relative search efforts to court within three months of child's placement.**

Minnesota Statutes, section 260C.221

- Required component of OHPP for child under guardianship of the commissioner.

Minnesota Statutes, section 260C.212, subdivision 1 (c)(6)

- **Answer question in section C. If court relieved county of relative search efforts, attach court order.**

313

Sibling Status

- Agency required to make reasonable efforts to place siblings together.

Minnesota Statutes, section 260C.212, subdivision 12(d)

Minnesota Statutes, section 260.012 (e)(4)

- If county assesses that siblings should not or cannot be adopted together, **documentation is submitted to court rather than DHS for approval of separation for the purpose of adoption.**

Minnesota Statutes, section 260C.617

- **Answer two questions in section D. If court approved sibling separation, attach order.**

Adoption Background Study (Law Enforcement and Social Services Checks)

- Required for all prospective adoptive parents as part of the home study process.

Minnesota Statutes, section 260C.611

Minnesota Statutes, section 259.41

- **Answer question in section E.**
- If answer to question is YES, additional documentation must be provided.

Policy on Foster and Adoption Placement Decisions for Children Under Guardianship of the Commissioner

- Attach background studies for all required household members for **all** adoptive placements.

315



Criminal and/or Maltreatment History

- If the adoption background study for any household members reveals significant criminal and/or maltreatment history, DHS may contact the responsible agency to require additional information, such as:
 - Specific details of previous crime, maltreatment finding or issue precluding foster care licensure, date, any extenuating circumstances and outcome.
 - Explanation of person's current status, including how the person overcame the incident.
 - Detailed assessment of why adoption by this person is in the child's best interest in spite of the history.
- When in doubt, consult with DHS, sooner rather than later.

316

Child's Social and Medical History

- Required prior to all adoptive placements.

Minnesota Statutes, section 260C.609

Minnesota Statutes, section 259.43

- **Answer to question in section F must be YES.**
- Attach social and medical history for **all** adoptive placements.

317

Additional Comments and Signature

- Complete section G only if you need to report additional information pertinent to DHS's review of the county's adoption placement decision.
- Social worker must sign/date the form.

318

Submitting Documentation

- County social worker and adopting parent(s) sign/date APA (0312).
- County social worker completes and signs/dates Adoption Placement Decision Summary (0312A) and gathers required documentation.
- Mail both forms plus all required attachments to DHS.

319

SSIS Data

- County social worker enters and verifies data in SSIS that is transmitted electronically to DHS as an adoptive placement event.
- SSIS data should be entered and submitted at the same time the 0312 and 0312A forms are mailed to DHS.

320

Hints for SSIS Data Entry at Adoption Placement



Make sure that the correct data is entered to reflect the relationship, if any, between the adopting parent and child prior to adoptive placement. Any applicable relationship should be indicated in the following priority order:

1. Relative
2. Former foster parent [prior to APA]
3. Non-relative [no relationship prior to APA].

321

DHS Review of Adoption Placement

- DHS will determine whether or not to approve the adoption placement.
 - If approved, DHS will sign the APA on behalf of the commissioner, making it a fully executed agreement.
 - If denied, DHS will send notice to county.
- DHS may need to request additional information before a decision is made.
- DHS has updated *Policy on Foster and Adoption Placement Decisions*, available on DHS's website.

322

Fully Executed APA

- DHS will return the original and one copy of a fully executed APA to the county.
- The county keeps the copy for their file and forwards the original to the adopting parent(s).

323

Notification of APA

- The responsible social services agency must notify the court and parties entitled to notice under section 260C.607, subdivision 2, when there is a fully executed APA.

Minnesota Statutes, section 260C.613, subdivision 1 (c)

- Receipt of notice begins the 30 day time period in which a relative or foster parent has the opportunity to challenge the county's placement decision.

Minnesota Statutes, section 260C.613, subdivision 1 (c)

324

Services and Supports

After adoptive placement, but before adoption finalization, the county SW must be sure that all services and supports required to care for the child are in place.



If the child is placed in another county, notify that county.

Resource #18

325

Adoption Placement Disruption

If the adoption placement disrupts prior to finalization, the county SW enters and verifies data in SSIS that is transmitted electronically to DHS as an Adoptive Placement event.



The SW must also provide notice to the court, the parties entitle to notice.

Minnesota Statutes, section 260C.613, subdivision 1 (d)
Minnesota Rule, part 9560.0110, subpart 1

326

Adoption Assistance



327

Adoption Assistance: Two Sections of DHS Staff

Eligibility

- Pre-finalization
- Determines eligibility for Adoption Assistance, including appropriate supplemental level, if applicable
- Provides consultation

Operations

- Post-finalization
- Processes basic and supplemental payments
- Reviews and approves special cost reimbursements
- Provides consultation

328

Adoption Assistance: The Basics



- There are two types of Adoption Assistance: Title IV-E and state-funded.
- A child's eligibility for Title IV-E Adoption Assistance must be determined by county financial assistance.
- Title IV-E must be considered prior to determining eligibility for state-funded Adoption Assistance.

329

Adoption Assistance: Barriers to Adoption

- The child has been determined by the Social Security Administration to meet all medical or disability requirements of title XVI of the Social Security Act with respect to eligibility for Supplemental Security Income benefits.
- The child has documented physical, mental, emotional or behavioral disabilities not determined by SSA.
- The child is a member of a sibling group to be adopted at the same time by the same parent.
- The child is placed for adoption in the home of a parent who previously adopted another child born of the same mother or father for whom the parent receives Adoption Assistance.
- The child is **at-risk** of developing physical, mental, emotional or behavioral disabilities.

Minnesota Statutes, section 259A.10, subdivision 2 (c)

330

Adoption Assistance: The Forms

To apply for Adoption Assistance, the following forms are required:

- *Adoption Assistance Certification*
- *Adoption Assistance Agreement*
- *Adoption Assistance Supplemental Needs Assessment, if applicable*



Required forms are completed by the county SW and should be submitted to DHS within 30 days of adoptive placement.

Minnesota Statutes, section 259A.15

331

Adoption Assistance: Eligibility Review

- DHS reviews Adoption Assistance forms to verify that the child is eligible and that forms are completed correctly.
- DHS completes this review within 15 days of receipt. If corrections are required, DHS will review corrections within 15 days of receipt.
- If approved for Adoption Assistance, the commissioner's designee signs the *Adoption Assistance Agreement* and mails one copy to the county for their case file and one copy to the adopting family for their records.

332

Adoption Assistance: Supplemental Level

The case summary required as part of the Adoption Assistance Supplemental Needs Assessment is vital to DHS review of supplemental level request – and eventually the approval or denial of a specific level.

333

Adoption Assistance: Timing

- Eligibility for Adoption Assistance must be determined AND the *Agreement* must be signed by DHS [the commissioner's designee] **PRIOR TO** adoption finalization.
- If the adoption is finalized before DHS approves Adoption Assistance, the family is not eligible unless and until determined eligible through a fair hearing [appeal] process.

Minnesota Statutes, section 259A.15, subdivision 2 (b)

334

Adoption Assistance: Benefits

Minnesota Statutes, section 259A.20

- | | |
|--|---|
| <ul style="list-style-type: none"> • All children with Adoption Assistance Agreements: <ul style="list-style-type: none"> • Medical Assistance • Non-recurring Adoption Expense Reimbursement (NRAE) | <ul style="list-style-type: none"> • Some children with Adoption Assistance Agreements: <ul style="list-style-type: none"> • Basic maintenance payment • Supplemental needs payment • Reimbursement of special non-medical costs |
|--|---|

335

Adoption Assistance: The Agreement

The *Adoption Assistance Agreement* is a **legal contract** between the adopting parent(s) and DHS. It should be kept in a safe place by the adopting parent(s).



336

Adoption Assistance: Changes

- If there are any changes to the Adoption Assistance Agreement after DHS approval [pre- or post-finalization], contact the assigned DHS Operations staff to report.
- Changes include:
 - Name of parent or child
 - Address of adoptive family
 - Needs of the child necessitating adjustment to the Agreement benefit
 - Conversion from at-risk Agreement to basic payment or supplemental level
 - Increase from basic payment to supplemental level
 - Change from one supplemental level to another

Documentation Required Between Adopting Parent(s), County, Court and DHS



Adoption Petition

Minnesota Statutes, section 260C.607, subdivisions 5 and 6

- Adoption petition for a child under guardianship may only be filed if child has been placed for adoption with the adopting parent by the responsible social services agency (fully executed APA).
- The court may order the agency to make an adoptive placement.
- Court process established for a relative or foster parent to challenge the agency's adoptive placement decision.

339

Adoption Petition

Minnesota Statutes, section 260C.623

- **AFTER** Adoption Assistance has been approved by DHS and the county and adopting parent(s) have received a copy of the *Adoption Assistance Agreement* signed by the commissioner's designee, the adopting petition may be filed by:
 - Adopting parent(s)
 - Attorney hired by adopting parent(s)
 - Responsible social service agency on behalf of a willing adopting parent(s).
- The petition is to be filed within **nine** months of adoptive placement.

340

Adoption Petition (con't)

- Adopting parent must be at least **21** years of age at time of petition filing. Some relatives* excepted.
- Minnesota state residency requirement has been eliminated to file adoption petition.

"Relative" here is the narrow definition found in Minnesota Statutes, section 245A.02, subdivision 13

341

Requirements of Adoption Petition

Minnesota Statutes, section 260C.623, subdivision 3

Information to be included in the adoption petition:

- Full name, age and place of residence of the adopting parent(s);
- If married, the date and place of marriage;
- Date the adopting parent(s) acquired physical custody of the child and from what agency;
- Date of the adoptive placement by the responsible social service agency;

342



Requirements of Adoption Petition (con't)

- Date of birth of the child, if known, and the county, state and country where born;
- Name to be given the child, if change of name is desired;
- Description and value of any real or personal property owned by the child;
- Relationship of adopting parent(s) to child prior to adoptive placement, if any;

343



Requirements of Adoption Petition (con't)

- Statement that the adopting parent(s) desires that the relationship of parent and child be established between the adopting parent and child and that adoption is in the child's best interests;
- Whether the Indian Child Welfare Act does or does not apply; and
- Name and address of:
 - Child's guardian ad litem
 - Child, if age 10 or older
 - Child's Indian tribe, if child is an Indian child;
 - Responsible social services agency.

344

Attachments to Adoption Petition



- Judgment (Findings), Order and Decree of Adoption
- Adoption home study report with background study on each required household member
- Fully executed Adoption Placement Agreement
- Child Social and Medical History
- Document prepared by petitioner that establishes who must be given notice, including names and mailing addresses of those to be served by the court administrator

Minnesota Statutes, section 260C.623, subdivision 4

345

Where to File the Adoption Petition



The petition for a child under guardianship of the commissioner must be filed in the county court conducting reviews in the matter according to section 260C.607.

Minnesota Statutes, section 260C.621

346

Transferring Venue of Adoption Proceeding



Upon request of the responsible agency, the court with jurisdiction may order that the filing of an adoption petition for a child under guardianship of the commissioner be permitted in the county where the adopting parent(s) reside.

Minnesota Statutes, section 260C.621, subdivision 2 (b)

347

Court Action on Adoption Petition



Upon the filing of an adoption petition for a child under guardianship of the commissioner, the court administrator must give notice to persons entitled to notice.

Minnesota Statutes, section 260C.623, subdivision 4

348

Responsible Agency's Action on Filed Petition

- Complete **Post-placement Assessment and Report to Court (DHS 0188)** form.
- Original of the DHS 0188 form will be provided to the court prior to adoption finalization.
- Mail a copy of DHS 0188 to DHS.
- Keep a copy of DHS 0188 in child's county case file.

Minnesota Statutes, section 259.53, subdivision 2
Minnesota Statutes, section 260C.625 (a)(6)

349

Documents Filed in Court by Responsible Agency Prior to Adoption

Minnesota Statutes, section 260C.625

- Certified copy of child's birth certificate
- Certified copy of findings and order terminating parental rights or order accepting parent's consent to adopt under section 260C.515, subd. 3, and order for guardianship to commissioner
- Copy of communication or contact agreement under section 260C.619
- Certification that the Minnesota's Father's Adoption Registry has been searched
- Original of each consent to adoption required (**Consent from the commissioner is no longer required**)
- Post-placement assessment and report required under section 259.53
- Any known aliases of the child
- Certificate of Adoption and Birth Certificate Application [MN Department of Health forms]

350

Schedule Finalization Hearing

Court may schedule a finalization hearing with the adopting parent(s) after all required documents have been received.



Finalization Hearing: Required Documents in File

- Original birth certificate of child
- Adoption home study report plus all required background studies
- Certified copy of findings and order for permanency and guardianship
- Any required consents
- Child's social and medical history
- Post-placement assessment and report to court
- **Report from child's guardian ad litem**

352

Finalization Hearing

- **Requires responsible agency to support an adoption petition by providing testimony during the finalization hearing**
 - Testimony may be in person, by telephone or by affidavit
- Court administration must provide a copy of the Adoption Decree to the commissioner
 - Decree is required to begin AA
 - Decree required to close the DHS record

353

Finalization Hearing

- **Child is no longer required to reside in the home for three months prior to adoption finalization.**

Minnesota Statutes, section 260C.631

354

Effect of Adoption

- Court now specifically required to complete a *Certificate of Adoption* form upon adoption finalization, and mail the form to the Department of Health.
- Clarifies that adoption does not impact an adoptee's enrollment in a tribe, if their birth parent is enrolled in a tribe.

355

Effect of Adoption (con't)

- Specifies that an *Adoption Decree* does not prohibit birth parents, adoptive parents and others from entering into a contact agreement.

Minnesota Statutes, section 260C.635

356

Adoption Finalization



357

Final Steps After the Adoption

- **New birth certificate**
Court administration will assist the family at finalization to apply to the Minnesota Department of Health for an amended birth certificate. *Certificate of Adoption* form required.
- **New Social Security card**
The family will need certified copies of the child's amended birth certificate and adoption decree to get a Social Security card.
- **Medical Assistance**
SW must notify to close MA-FC in the responsible county. DHS sends notice to open MA-AA in the child's county of residence.
- **Adoption Assistance**
DHS requires a copy of the adoption decree to begin payments. Notify the family there will be a delay in the first payment.
- **Post-Adoption Resources**
Children's Mental Health Services and Developmental Disability Services [through the county], payments and reimbursements through Adoption Assistance, adoption tax credit, MN ADOPT, post-adoption searches [completed by responsible agency]

Resources #19 and #20

358

Post-Adoption Resources

- **MN ADOPT** – Services provided by the Minnesota Adoption Resource Network (MARN) *under grant contract with DHS*: www.mnadopt.org
 - Information: Archived fact sheets
 - Resources: Regional directory; list of support groups available statewide
 - Training for adoptive parents and professionals: In-person and web-based
 - HELP program: Intensive, clinically-based, crisis-oriented intervention

359

Post-Adoption Resources (con't)

- **County services:**
 - Children's Mental Health
 - Developmental Disabilities
- **Adoption tax credit**
 - Made permanent with The American Taxpayer Relief Act of 2012 (signed 01/02/13)
 - Credit max is \$12,970 per child in 2013
 - Not refundable
- **Adoption assistance**

360

Post-Adoption Search Services

- **Persons served:**
 - Birth parents; adoptive parents of children under 19; adopted persons aged 19 and older
- **Potential services by responsible placing agency:**
 - Current and/or updated non-identifying social and medical history information
 - Contact/reunion
 - Sibling information
 - Identifying information
 - Access to original birth record information 361 (MDH)

Post-Adoption Search Services (con't)

Minnesota Statutes, section 259.83
Minnesota Statutes, section 260C.613, subdivision 8
Minnesota Statutes, section 259.89
Minnesota Statutes, section 260C.637

**Practice Guide for
 Post Adoption Search Services, 2011
 (DHS 4701)**

<https://edocs.dhs.state.mn.us/lfsrserver/Public/DHS-4701-ENG> 362

Positive Outcomes for Children Under State Guardianship

- **Increase in the number of adoptions**
 - 1995: 265
 - 2008: 772
 - 2009: 652
 - 2010: 588
 - 2011: 521
 - 2012: 524
- **Increase in the number and percent of adoptions of older children (ages 12+)**
 - 1995: 20/265 (8%)
 - 2007: 108/689 (16%)
 - 2009: 88/652 (13%)
 - 2010: 70/588 (12%)
 - 2011: 80/521 (15%)
 - 2012: 77/524 (15%)



363

Positive Outcomes for Children Under State Guardianship (con't)

- **Sibling groups preserved in their entirety through adoption**
 - 2009: 67%
 - 2010: 73%
 - 2011: 68%
 - 2012: 72%
- **Decrease in the average number of days from TPR to adoption**
 - 1995: 809 days
 - 2009: 488 days
 - 2010: 498 days
 - 2011: 503 days
 - 2012: 463 days



364

Positive Outcomes for Children Under State Guardianship (con't)

- **Decrease in the number and percent of children under guardianship of the commissioner court ordered into LTFC**
 - 2001: 408/1640 (25%)
 - 2004: 315/1503 (21%)
 - 2007: 179/1443 (12%)
 - 2008: 108/1154 (9%)
 - 02/20/13: 46/764 (6%)
 - 08/28/13: 36/901 (4%)



365

Positive Outcomes for Children Under State Guardianship (con't)

Thank you for all of your efforts that contributed to these improved outcomes!



366

DHS Staff



Handout #7

367

DHS Adoption Unit Supervisors



- *Vacant, Supervisor* – Adoption of children under guardianship of the commissioner; Adoption Assistance; for questions, contact **Ami Nafzger**
- *Ami Nafzger, Supervisor* – Adoption of children not under guardianship of the commissioner [private domestic, international, step parent and adult]; adoption records; post-adoption search policy; ICPC; ami.nafzger@state.mn.us, **651-431-4508**

368

DHS Adoption Unit Adoption and Permanency Policy



Melissa Sherlock, Adoption and Permanency Policy Specialist, Adoption policy regarding children under guardianship of the commissioner; issuance of non-delegated consent: DNR/DNI orders; melissa.sherlock@state.mn.us, **651-431-4711**

369

DHS Adoption Unit Contracts



Emily Palmer, Program Consultant, adoption contracts: PPAI, MN ADOPT [State Adoption Exchange, adoption-related information, referral and training, post-adoption supports and services], PACC; Purchase of Service; emily.palmer@state.mn.us; **651-431-4712**

370

DHS Adoption Unit Adoption Assistance – Eligibility Policy

Tammy VanMoer, Program Consultant, policy regarding Title IV-E and state-funded Adoption Assistance eligibility; tamera.vanmoer@state.mn.us, **651-431-4989**



371

DHS Adoption Unit Records Policy/AA Eligibility Determination



Adoption Records Policy – adoption process; adoption placement and case consultation; Adoption Assistance – eligibility determination and modifications;

- *Janet Johnson, Program Consultant*, janet.d.johnson@state.mn.us, **651-431-5889**
- *Kelly Nelson, Program Consultant, RCA Policy*, kelly.nelson@state.mn.us; **(651) 431-5890**
- *Jessica Ramstad, Program Consultant*, jessica.ramstad@state.mn.us, **651-431-4715**

Caseloads divided by county/private agency/tribe

DHS Adoption Unit ICPC Policy



- DHS website: www.dhs.state.mn.us
Click on *Children*, then on *Adoption*, then on *Interstate Compact*
- Jody McElroy, Program Consultant, MN ICPC
Deputy Compact Administrator;
jody.mcelroy@state.mn.us, 651-431-4727
- Mical Peterson, Program Consultant, MN ICPC
Deputy Compact Administrator;
mical.peterson@state.mn.us, 651-431-4728

Caseloads divided by county/private agency

373

DHS Adoption Unit Adoption Assistance – Operations Policy

Paulette Lonzo, Program Consultant,
Policy regarding Adoption Assistance program
operations; applications for Non-recurring
Adoption Expenses; ICAMA; fair hearings;
paulette.lonzo@state.mn.us, 651-431-4716



374

DHS Adoption Unit Adoption Assistance – Operations

Adoption Assistance Operations: basic
maintenance and supplemental payments; special
cost reimbursements;

- Vacant, @state.mn.us,
651-431-4723, A-F
- Karen Womack, karen.womack@state.mn.us,
651-431-4719, G-L
- Crystal Graves, crystal.graves@state.mn.us,
651-431-4732, M-R
- Sia Vang, sia.j.vang@state.mn.us, 651-431-4724,
S-Z

Caseloads divided by adoptive parent's last name



377

Post-Adoption Search Services

PajDaj Yang, Program Advisor, search
services requested by adoptees, birth
parents, adoptive parents and siblings for
access to information and/or contact;
liaison with Minnesota Department of
Health for access to adoptees' original
birth records; tribal enrollment;
pajdaj.yang@state.mn.us, 651-431-4718



376

DHS Mail Addresses

██████████
██████████
██████████

Department of Human Services
Adoption and Guardianship Unit
P.O. Box 64944
St. Paul, MN 55164-0944

██████████
██████████
██████████

Department of Human Services
ICPC
P.O. Box 64247
St. Paul, MN 55164-0247

377

DHS Licensing



Adam Walsh Background Studies

Questions regarding policies and procedures:
E-mail: DHS.BackgroundStudyAdmin@state.mn.us

Questions related to completion of the online
submission to request a study:
E-mail: DHS.NETStudyAdmin@state.mn.us

378

Resources for Social Workers

Resource List



Handout #8

2012 Legislative Changes

- DHS Policy Bulletin #12-68-07:

Summary of 2012 Child and Family Services Legislation

http://www.dhs.state.mn.us/main/groups/publications/documents/publication/dhs16_169947.pdf

- DHS Policy Bulletin #12-68-08:

Summary of 2012 Adoption Assistance Legislation

http://www.dhs.state.mn.us/main/groups/publications/documents/publication/dhs16_169948.pdf

Resources #21 and #22

380

Policies and Procedures

Related to 2012 Legislative Changes

DHS has revised policies and procedures regarding children under guardianship:

- Foster and adoption placement decisions
- Sibling placement, separation and visitation
- Do Not Resuscitate/Do Not Intubate (DNR/DNI) and other end-of-life care orders
- State Adoption Exchange and other child-specific recruitment efforts
- Adoption email listserv
- *Adoption Process Checklist for Children Under Guardianship of the Commissioner*

381

Adoption-Related Forms and Publications

Related to 2012 Legislative Changes

- DHS has revised a number of forms already.
- DHS will be reviewing, and revising as needed, all of the adoption-related forms (eDocs) and publications.
- Order of revision has been prioritized by DHS.
- This will be a long-term project.

382

Questions or comments?



383

SSIS Demo



384

Merci  *Obrigado!*

Thanks for participating!



385