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Title 22@ Social Security

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Division 2@ Department of Social Services-Department of Health Services

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Part 2@ Health and Welfare Agency-Department of Health Services Regulations

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Subdivision 4@ Institutions and Boarding Homes for Persons Aged 16 and Above

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Chapter 3@ Adoptions Program Regulations [Renumbered]

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Subchapter 1@ Adoptions Program Terminology

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Section 35000@ Definitions

35000 Definitions

(a)

(1) "AAP-Eligible Child" means a child who meets the eligibility criteria defined in Welfare and Institutions Code Section 16120. (2) "Acknowledgement" means notice from the department of the filing of relinquishment(s) or Notice of Action in lieu of relinquishment that a child is free for adoptive placement. (3) "Adoption Abroad" means the adoption of a foreign-born child by a United States citizen or a lawful permanent resident alien of the United States completed in foreign courts under the laws of the foreign country. (4) "Adoption Assistance Program (AAP)" means a program of financial and/or medical assistance to facilitate the adoption of children who otherwise would remain in long-term foster care. (5) "Adoption Service Provider (ASP)" means a licensed private adoption agency or individual ASP, as defined at Family Code section 8502. (6) "Adoptive Parent," as used in these regulations, means a person who has obtained an order of adoption of a minor child. (7) "Agency" means a licensed California private adoption agency, county adoption agency or the Department's Adoption Offices. (8) "Agency Adoption," as defined at Family Code section 8506, means the adoption of a minor child, other than an intercountry or independent adoption, where the Department, county adoption agency, or licensed adoption agency is a party to, or joins in, the adoption petition. (9) "Alleged Father" means an identified or unidentified male who:(A) could be, or claims to be, the father of the child; (B) does not meet the definition of

a presumed father; and (C) has not otherwise established paternity. (10)

"Applicant," as defined at Family Code section 8509, means a person who has submitted a written application to adopt a minor child through the Department, county adoption agency, or licensed adoption agency and who is being considered by the adoption agency for the adoptive placement of a child. (11) "Appropriate Public Authority" means, for the purpose of the ICPC, the state's Interstate Compact Administrator.

(1)

"AAP-Eligible Child" means a child who meets the eligibility criteria defined in Welfare and Institutions Code Section 16120.

(2)

"Acknowledgement" means notice from the department of the filing of relinquishment(s) or Notice of Action in lieu of relinquishment that a child is free for adoptive placement.

(3)

"Adoption Abroad" means the adoption of a foreign-born child by a United States citizen or a lawful permanent resident alien of the United States completed in foreign courts under the laws of the foreign country.

(4)

"Adoption Assistance Program (AAP)" means a program of financial and/or medical assistance to facilitate the adoption of children who otherwise would remain in long-term foster care.

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"Adoption Service Provider (ASP)" means a licensed private adoption agency or individual ASP, as defined at Family Code section 8502.

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"Adoptive Parent," as used in these regulations, means a person who has obtained an

order of adoption of a minor child.

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"Agency" means a licensed California private adoption agency, county adoption agency or the Department's Adoption Offices.

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"Agency Adoption," as defined at Family Code section 8506, means the adoption of a minor child, other than an intercountry or independent adoption, where the Department, county adoption agency, or licensed adoption agency is a party to, or joins in, the adoption petition.

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"Alleged Father" means an identified or unidentified male who: (A) could be, or claims to be, the father of the child; (B) does not meet the definition of a presumed father; and (C) has not otherwise established paternity.

(A)

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(11)

"Appropriate Public Authority" means, for the purpose of the ICPC, the state's Interstate

Compact Administrator.

(b)

(1) "BIA" means the Bureau of Indian Affairs. (2) "Biological Father" means the man who has established a genetic link to the child pursuant to Chapter 2 of Part 2 of Division 12 of the Family Code or by another judicial proceeding, including a judicial proceeding of another state. (3) "Birth Parent" means birth parent as defined at Family Code Section 8512.

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"BIA" means the Bureau of Indian Affairs.

(2)

"Biological Father" means the man who has established a genetic link to the child pursuant to Chapter 2 of Part 2 of Division 12 of the Family Code or by another judicial proceeding, including a judicial proceeding of another state.

(3)

"Birth Parent" means birth parent as defined at Family Code Section 8512.

(c)

(1) "CACI," as defined at Penal Code section 11170, means the California Child Abuse Central Index. (2) "California Agency" means, for the purpose of the Interstate Compact on the Placement of Children (ICPC), a CDSS Adoptions Office or a licensed private adoption agency, or a county adoption agency. (3) "California Children's Services (CCS)" means the program authorized by the California Department of Health Care Services which provides diagnostic and treatment services, medical case management, and physical and occupational therapy services to children under the age of 21 with CCS-eligible medical conditions. (4) "CDSS" means the California Department of Social Services or department. (5) "California Preadoption Requirements-Adoption Abroad" means assessment of

applicant as required by subchapter 6, article 3, section 35257 et seq. (6)

"California Preadoption Requirements-Adoption of a Foreign-Born Child in California" means: (A) assessment of applicant as required by subchapter 6, article 3, section 35257 et seq. (B) assessment of the child as required by subchapter 6, article 4, section 35275 et seq. (C) obtain documentation from the foreign agency that the child is legally free for adoption. (D) determination that the child's needs can be met by placement with the prospective adoptive parent, and (E) availability of post-placement supervision. (7) "CDIB" means Certificate of Degree of Indian Blood. (8) "Concurrent Services Planning" means a written child welfare services case plan which identifies the child's permanency alternative and the services necessary to achieve it if the parents fail to reunify with the child. (9) "Consent to Adoption" means the voluntary written agreement by the birth parent(s) agreeing to the adoption of the child by a specified person or persons. (A) An Independent Adoption Placement Agreement is a type of consent to adoption. (10) "County" means the income maintenance division in each county welfare department responsible for federal and state eligibility determination and payment of AAP benefits. (11) "County Adoption Agency," as defined at Family Code section 8513, means an adoption agency operated by a county or consortium of counties.

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"California Agency" means, for the purpose of the Interstate Compact on the Placement of Children (ICPC), a CDSS Adoptions Office or a licensed private adoption agency, or a county adoption agency.

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"California Children's Services (CCS)" means the program authorized by the California Department of Health Care Services which provides diagnostic and treatment services, medical case management, and physical and occupational therapy services to children under the age of 21 with CCS-eligible medical conditions.

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assessment of applicant as required by subchapter 6, article 3, section 35257 et seq.

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"Concurrent Services Planning" means a written child welfare services case plan which identifies the child's permanency alternative and the services necessary to achieve it if the parents fail to reunify with the child.

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"County" means the income maintenance division in each county welfare department responsible for federal and state eligibility determination and payment of AAP benefits.

(11)

"County Adoption Agency," as defined at Family Code section 8513, means an adoption agency operated by a county or consortium of counties.

(d)

(1) "Days," as defined at Family Code section 8514, means calendar days unless otherwise specified. (2) "Delegated County Adoption Agency" means delegated county adoption agency as defined at Family Code Section 8515. (A) (Reserved) (3) "Department" means department as defined at Family Code Section 8518. (A) (Reserved) (4) "Disruption in Placement" means the termination of an adoptive placement prior to the issuance of a final decree of adoption. (5) "Diligent

recruitment" means to actively find and develop resources to recruit foster and adoptive parents from every race, ethnicity, culture and national origin in order to facilitate the matching of children to adoptive homes that will meet the needs of the child.

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"Days," as defined at Family Code section 8514, means calendar days unless otherwise specified.

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"Delegated County Adoption Agency" means delegated county adoption agency as defined at Family Code Section 8515. (A) (Reserved)

(A)

(Reserved)

(3)

"Department" means department as defined at Family Code Section 8518. (A) (Reserved)

(A)

(Reserved)

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"Disruption in Placement" means the termination of an adoptive placement prior to the issuance of a final decree of adoption.

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"Diligent recruitment" means to actively find and develop resources to recruit foster and adoptive parents from every race, ethnicity, culture and national origin in order to facilitate the matching of children to adoptive homes that will meet the needs of the child.

(e)

Reserved

(f)

(1) "FBI Criminal Record" means the "FBI identification record" as specified in title 28, Code of Federal Regulations (CFR) section 16.31. (2) "Filing an Adoption Request" means the submission of an adoption request to the Superior Court of a California county and the clerk's acceptance and endorsement of the request. (A) In the adoption of a nondependent minor, the adoption request shall be filed pursuant to Family Code section 8609.5. (B) In an agency adoption, where the child is a dependent of the juvenile court, the adoption request may be filed pursuant to Family Code section 8714(a) either in the county where the petitioner resides or in the county where the child was legally freed for adoption. (C) In an independent adoption, where the child has been placed for adoption, a copy of the Independent Adoption Placement Agreement shall be attached to the adoption request as required by Family Code section 8802. (3) "Filing of the Relinquishment Form" means the department's receipt and acknowledgement of a certified copy of a relinquishment form that has been signed, witnessed, and dated pursuant to Articles 1 and 2 of Subchapter 5 of these regulations. (4) "Final Decree of Adoption" means a court order granting the completion of the adoption. (5) "Fiscal Year" means the state fiscal year. The state fiscal year begins July 1 and ends June 30 of the following year. (6) "Foreign Agency" means the foreign government, organization, or agent authorized under the laws of the foreign country to provide adoption services. (7) "Foreign Guardianship" means care, custody, control, and financial responsibility for the foreign-born child given to a United States citizen or a lawful permanent resident alien of the United States by the government of the child's native country. (8) "Foster Family Agency" means any organization engaged in the recruiting, certifying, and training of, and providing professional support to,

certified parent(s), or in finding homes for placement of children for temporary or permanent care who require that level of care as an alternative to a group home. Private foster family agencies shall be organized and operated on a nonprofit basis.

(9) "Foster Family Home" means any residential facility providing 24-hour care for six or fewer foster children which is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian. A foster family home may also be authorized to provide care for more than six children for the purposes of keeping siblings together provided that the conditions of Health and Safety Code Section 1505.2 are met. (10) "Freed for Adoptive Placement" means eligibility of the child to be placed for adoption by any of the following: relinquishment for adoption, consent to adoption, court order for termination of parental rights, denial of paternity, or waiver of the right to notice of any adoption proceedings. (11) "Full-Service Adoption Agency" means full-service adoption agency as defined at Family Code Section 8521. (A) (Reserved) (12) "Full State Criminal Record" means the "State summary criminal history information" as specified in Penal Code section 11105(a)(2). (A) (Reserved)

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"FBI Criminal Record" means the "FBI identification record" as specified in title 28, Code of Federal Regulations (CFR) section 16.31.

(2)

"Filing an Adoption Request" means the submission of an adoption request to the Superior Court of a California county and the clerk's acceptance and endorsement of the request. (A) In the adoption of a nondependent minor, the adoption request shall be filed pursuant to Family Code section 8609.5. (B) In an agency adoption, where the child

is a dependent of the juvenile court, the adoption request may be filed pursuant to Family Code section 8714(a) either in the county where the petitioner resides or in the county where the child was legally freed for adoption. (C) In an independent adoption, where the child has been placed for adoption, a copy of the Independent Adoption Placement Agreement shall be attached to the adoption request as required by Family Code section 8802.

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In the adoption of a nondependent minor, the adoption request shall be filed pursuant to Family Code section 8609.5.

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In an agency adoption, where the child is a dependent of the juvenile court, the adoption request may be filed pursuant to Family Code section 8714(a) either in the county where the petitioner resides or in the county where the child was legally freed for adoption.

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In an independent adoption, where the child has been placed for adoption, a copy of the Independent Adoption Placement Agreement shall be attached to the adoption request as required by Family Code section 8802.

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"Filing of the Relinquishment Form" means the department's receipt and acknowledgement of a certified copy of a relinquishment form that has been signed, witnessed, and dated pursuant to Articles 1 and 2 of Subchapter 5 of these regulations.

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"Final Decree of Adoption" means a court order granting the completion of the adoption.

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"Fiscal Year" means the state fiscal year. The state fiscal year begins July 1 and ends June 30 of the following year.

(6)

"Foreign Agency" means the foreign government, organization, or agent authorized under the laws of the foreign country to provide adoption services.

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"Foreign Guardianship" means care, custody, control, and financial responsibility for the foreign-born child given to a United States citizen or a lawful permanent resident alien of the United States by the government of the child's native country.

(8)

"Foster Family Agency" means any organization engaged in the recruiting, certifying, and training of, and providing professional support to, certified parent(s), or in finding homes for placement of children for temporary or permanent care who require that level of care as an alternative to a group home. Private foster family agencies shall be organized and operated on a nonprofit basis.

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"Foster Family Home" means any residential facility providing 24-hour care for six or fewer foster children which is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian. A foster family home may also be authorized to provide care for more than six children for the purposes of keeping siblings together provided that the conditions of Health and Safety Code Section 1505.2 are met.

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"Freed for Adoptive Placement" means eligibility of the child to be placed for adoption by any of the following: relinquishment for adoption, consent to adoption, court order for termination of parental rights, denial of paternity, or waiver of the right to notice of any

adoption proceedings.

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"Full-Service Adoption Agency" means full-service adoption agency as defined at Family Code Section 8521. (A) (Reserved)

(A)

(Reserved)

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"Full State Criminal Record" means the "State summary criminal history information" as specified in Penal Code section 11105(a)(2). (A) (Reserved)

(A)

(Reserved)

(g)

(1) "Grievance" means a written complaint about any procedures, actions, or determinations made by an agency before the filing of an adoption petition. (2)

"Grievance Review Agent" means a person or panel designated by the director of the agency to conduct the grievance review and render a recommended decision to the director of the agency. (3) "Grievance Review Hearing" means a session conducted by a grievance review agent which is recorded and attended by the parties who submitted the written request for the review, their authorized

representatives, and any witnesses who intend to testify. (4) "Guardianship" means the court appointment of a guardian for the person or estate of a child, or both, as deemed necessary or convenient, pursuant to Probate Code Section 1500 et seq., or Welfare and Institutions Code Section 366.26. (A) A guardian is a person who upon court appointment has the legal authority and responsibility to care for a child. A guardian may be a relative of the child.

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(h)

"Holding Period" means the time period agreed to by the agency and the relinquishing parent between the signing of the relinquishment for adoption and the receipt of a certified copy of the relinquishment by the department.

(i)

(1) "ICPC" means Interstate Compact on the Placement of Children. (2) "ICWA" means Indian Child Welfare Act. (3) "Independent Adoption" means independent

adoption as defined at Family Code Section 8524. (A) (Reserved) (4) "Indian Child Welfare Act (ICWA)" means the federal Indian Child Welfare Act of 1978 as codified at title 25, United States Code, section 1901, et. seq. (5) "Indian" means a person as defined at section 1903(3) of the ICWA.(A) (Reserved) (6) "Indian Child" means a child as defined at section 1903(4) of the ICWA. (A) (Reserved) (7) "Indian Child's Extended Family Member" means extended family member as defined at section 1903(2) of the ICWA. (A) (Reserved) (8) "Indian Child's Tribe" means the child's tribe as defined at section 1903(5) of the ICWA. (A) (Reserved) (9) "Indian Custodian" means an Indian person as defined at section 1903(6) of the ICWA.(A) (Reserved) (10) "Indian Tribal Court" means a court as defined at section 1903(12) of the ICWA. (A) (Reserved) (11) "Indian Tribe" means Indian tribe as defined at section 1903(8) of the ICWA.(A) (Reserved) (12) "Intercountry Adoption" means intercountry adoption as defined at Family Code Section 8527. (A) For the purposes of intercountry adoption, "child" means a foreign-born, unmarried, unemancipated person under the age of sixteen years. (B) Intercountry adoption includes two components: 1. Adoption in California, whereby the family arranges for the foreign-born child to travel to California and completes the adoption of the child under the laws of California's Intercountry Adoptions Program.a. The family may or may not have obtained foreign guardianship of the child under the laws of the child's native country.(i) Only agencies licensed to provide full-service adoption services under the Intercountry Adoptions Program may assist families to complete this process. 2. Adoption Abroad, whereby the family completes the adoption of the foreign-born child under the laws of the child's native country before the child travels to California. a. The family readopt the child in California. (i) Agencies licensed to provide full-service adoption services or noncustodial adoption services under the Intercountry Adoptions Program may assist families to complete this

process.

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"ICPC" means Interstate Compact on the Placement of Children.

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"ICWA" means Indian Child Welfare Act.

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"Independent Adoption" means independent adoption as defined at Family Code Section 8524. (A) (Reserved)

(A)

(Reserved)

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"Indian" means a person as defined at section 1903(3) of the ICWA. (A) (Reserved)

(A)

(Reserved)

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"Indian Child" means a child as defined at section 1903(4) of the ICWA. (A) (Reserved)

(A)

(Reserved)

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"Indian Child's Extended Family Member" means extended family member as defined at section 1903(2) of the ICWA. (A) (Reserved)

(A)

(Reserved)

(8)

"Indian Child's Tribe" means the child's tribe as defined at section 1903(5) of the ICWA.

(A) (Reserved)

(A)

(Reserved)

(9)

"Indian Custodian" means an Indian person as defined at section 1903(6) of the ICWA.(A)

(Reserved)

(A)

(Reserved)

(10)

"Indian Tribal Court" means a court as defined at section 1903(12) of the ICWA. (A)

(Reserved)

(A)

(Reserved)

(11)

"Indian Tribe" means Indian tribe as defined at section 1903(8) of the ICWA.(A)

(Reserved)

(A)

(Reserved)

(12)

"Intercountry Adoption" means intercountry adoption as defined at Family Code Section 8527. (A) For the purposes of intercountry adoption, "child" means a foreign-born, unmarried, unemancipated person under the age of sixteen years. (B) Intercountry adoption includes two components: 1. Adoption in California, whereby the family arranges for the foreign-born child to travel to California and completes the adoption of

the child under the laws of California's Intercountry Adoptions Program.a. The family may or may not have obtained foreign guardianship of the child under the laws of the child's native country.(i) Only agencies licensed to provide full-service adoption services under the Intercountry Adoptions Program may assist families to complete this process.

2. Adoption Abroad, whereby the family completes the adoption of the foreign-born child under the laws of the child's native country before the child travels to California. a. The family readopt the child in California. (i) Agencies licensed to provide full-service adoption services or noncustodial adoption services under the Intercountry Adoptions Program may assist families to complete this process.

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For the purposes of intercountry adoption, "child" means a foreign-born, unmarried, unemancipated person under the age of sixteen years.

(B)

Intercountry adoption includes two components: 1. Adoption in California, whereby the family arranges for the foreign-born child to travel to California and completes the adoption of the child under the laws of California's Intercountry Adoptions Program.a. The family may or may not have obtained foreign guardianship of the child under the laws of the child's native country.(i) Only agencies licensed to provide full-service adoption services under the Intercountry Adoptions Program may assist families to complete this process. 2. Adoption Abroad, whereby the family completes the adoption of the foreign-born child under the laws of the child's native country before the child travels to California. a. The family readopt the child in California. (i) Agencies licensed to provide full-service adoption services or noncustodial adoption services under the Intercountry Adoptions Program may assist families to complete this process.

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Adoption Abroad, whereby the family completes the adoption of the foreign-born child under the laws of the child's native country before the child travels to California. a. The family readopt the child in California. (i) Agencies licensed to provide full-service adoption services or noncustodial adoption services under the Intercountry Adoptions Program may assist families to complete this process.

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(j)

Reserved

(k)

Reserved

(l)

(1) "Legal Parent" means a birth parent, adoptive parent, presumed parent, or biological parent. (2) "Licensed Adoption Agency," as defined at Family Code section 8530, means an agency licensed by the Department to provide adoption services. (3) "Live Scan" means technology that allows digitally scanned fingerprints and related information to be submitted electronically to the Department of Justice.

(1)

"Legal Parent" means a birth parent, adoptive parent, presumed parent, or biological parent.

(2)

"Licensed Adoption Agency," as defined at Family Code section 8530, means an agency licensed by the Department to provide adoption services.

(3)

"Live Scan" means technology that allows digitally scanned fingerprints and related information to be submitted electronically to the Department of Justice.

(m)

(1) "Medical or Mental Health Professional" means a licensed physician or surgeon, a licensed clinical psychologist, a licensed clinical social worker, a person employed as a social worker by a county, or a licensed marriage, family, and child counselor. (2) "Medical Report" means the completed AD 512, which specifies the information about the child's medical and family background and any attached documents that are provided to the prospective adoptive parent(s). (A) The AD 512 and the documents attached to the AD 512 shall contain the following information about the child and his or her birth parents: 1. All known medical background about the

child's birth parents; 2. All known diagnostic information about the child, including medical reports, psychological evaluations, if applicable, and scholastic information, if he or she is age appropriate; 3. All known information about the child's development prior to placement with the prospective adoptive parents and during the time the child was seen by the adoption case worker while in the prospective adoptive parents' home; 4. All known information about the child's family life; 5. Copies of the nonconfidential section (Part II) of the AD 67 and the AD 67A when completed by the birth parent; 6. Medical reports from the child's prenatal physician and the physician who delivered the child, or from the hospital in which the child was born, if available; and 7. Photocopies of all original source reports on the child's and his or her birth parents' medical and family backgrounds obtained during the agency's investigation of the child. 8. The written assessment of the child made by the agency as required by Section 35127.1.

(1)

"Medical or Mental Health Professional" means a licensed physician or surgeon, a licensed clinical psychologist, a licensed clinical social worker, a person employed as a social worker by a county, or a licensed marriage, family, and child counselor.

(2)

"Medical Report" means the completed AD 512, which specifies the information about the child's medical and family background and any attached documents that are provided to the prospective adoptive parent(s). (A) The AD 512 and the documents attached to the AD 512 shall contain the following information about the child and his or her birth parents: 1. All known medical background about the child's birth parents; 2. All known diagnostic information about the child, including medical reports, psychological evaluations, if applicable, and scholastic information, if he or she is age appropriate; 3. All known information about the child's development prior to placement with the

prospective adoptive parents and during the time the child was seen by the adoption case worker while in the prospective adoptive parents' home; 4. All known information about the child's family life; 5. Copies of the nonconfidential section (Part II) of the AD 67 and the AD 67A when completed by the birth parent; 6. Medical reports from the child's prenatal physician and the physician who delivered the child, or from the hospital in which the child was born, if available; and 7. Photocopies of all original source reports on the child's and his or her birth parents' medical and family backgrounds obtained during the agency's investigation of the child. 8. The written assessment of the child made by the agency as required by Section 35127.1.

(A)

The AD 512 and the documents attached to the AD 512 shall contain the following information about the child and his or her birth parents: 1. All known medical background about the child's birth parents; 2. All known diagnostic information about the child, including medical reports, psychological evaluations, if applicable, and scholastic information, if he or she is age appropriate; 3. All known information about the child's development prior to placement with the prospective adoptive parents and during the time the child was seen by the adoption case worker while in the prospective adoptive parents' home; 4. All known information about the child's family life; 5. Copies of the nonconfidential section (Part II) of the AD 67 and the AD 67A when completed by the birth parent; 6. Medical reports from the child's prenatal physician and the physician who delivered the child, or from the hospital in which the child was born, if available; and 7. Photocopies of all original source reports on the child's and his or her birth parents' medical and family backgrounds obtained during the agency's investigation of the child. 8. The written assessment of the child made by the agency as required by Section 35127.1.

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All known diagnostic information about the child, including medical reports, psychological evaluations, if applicable, and scholastic information, if he or she is age appropriate;

3.

All known information about the child's development prior to placement with the prospective adoptive parents and during the time the child was seen by the adoption case worker while in the prospective adoptive parents' home;

4.

All known information about the child's family life;

5.

Copies of the nonconfidential section (Part II) of the AD 67 and the AD 67A when completed by the birth parent;

6.

Medical reports from the child's prenatal physician and the physician who delivered the child, or from the hospital in which the child was born, if available; and

7.

Photocopies of all original source reports on the child's and his or her birth parents' medical and family backgrounds obtained during the agency's investigation of the child.

8.

The written assessment of the child made by the agency as required by Section 35127.1.

(n)

(1) "Natural Parent" means natural parent as defined at Family Code section 7601.

(2) "Noncustodial Adoption Agency," as defined at Family Code section 8533, means any licensed entity engaged in the business of providing adoption services.

(3) "Nonrecurring Adoption Expenses" means reasonable and necessary adoption fees, court costs, attorney fees and other expenses which are directly related to the

legal adoption of a child with special needs, which are not incurred in violation of State or Federal law, and which have not been reimbursed from other sources or other funds. "Other expenses which are directly related to the legal adoption of a child with special needs' means the costs of the adoption incurred by or on behalf of the parents and for which parents carry the ultimate liability for payment. Such costs may include the adoption study, including health and psychological examinations, supervision of the placement prior to adoption, transportation and the reasonable costs of lodging and food for the child and/or the adoptive parents when necessary to complete the placement or adoption process."

(1)

"Natural Parent" means natural parent as defined at Family Code section 7601.

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"Noncustodial Adoption Agency," as defined at Family Code section 8533, means any licensed entity engaged in the business of providing adoption services.

(3)

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"Other expenses which are directly related to the legal adoption of a child with special needs' means the costs of the adoption incurred by or on behalf of the parents and for which parents carry the ultimate liability for payment. Such costs may include the adoption study, including health and psychological examinations, supervision of the placement prior to adoption, transportation and the reasonable costs of lodging and food for the child and/or the adoptive parents when necessary to complete the placement or adoption process."

(o)

Reserved

(p)

(1) "Parent" means a birth parent or adoptive parent of a child. (2) "Parent of an Indian Child" means a parent as defined at section 1903(9) of the ICWA. (A) (Reserved) (3) "Parties to Grievance Review" means the applicant or prospective adoptive parent requesting the review and the representative of the agency responsible for the action. (4) "Party State" means, for the purpose of the ICPC, a state or territory which is a member of the Interstate Compact on the Placement of Children. (5) "Permanency Planning Family" means the home of a relative, a licensed foster family home as defined in Health and Safety Code Section 1502(a)(5), or a certified family home as defined in Health and Safety Code Section 1506(d) willing to assist in implementation of the child's case plan by facilitating family reunification while being prepared to provide the child with legal permanence should family reunification fail. (6) "Personal Knowledge," as described at Family Code section 8801(b), means substantially correct knowledge of information about the prospective adoptive parent(s). (A) Substantially correct means accurate in the agency's judgment. (7) "Petitioner" means a prospective adoptive parent who has filed an Adopt 200 form with the superior court pursuant to Family Code section 8802 for an independent adoption, pursuant to Family Code section 8714 for an agency adoption, or pursuant to Family Code sections 8911 and 8912 for an intercountry adoption. (8) "Place for Adoption" means: (A) For the purpose of an agency adoption, the agency's placement of a child who has been freed for adoption placement either by relinquishment to the agency or by the court order. (B) For the purpose of an independent adoption, means placed for adoption as defined at Family Code section 8539. (9) "Placement" means, for the

purpose of the ICPC:(A) In an agency adoption, the arrangement for the care of a child in a family that has been studied and approved for adoption. (B) In an independent adoption, the arrangement for the care of a child in a family that has had a valid preplacement interview completed by a licensed adoption agency. (10) "Post-adoption Contact Agreement" means a voluntary written agreement entered into by the child's birth relatives, including the birth parent(s) or an Indian tribe, and the adoptive parent(s) pursuant to Family Code section 8616.5 or subdivision (f) of Section 8620. (11) "Preplacement Evaluaton" means preplacement evaluation as defined at Family Code section 8811.5. (12) "Presumed Parent" means a person, as defined at Family Code sections 7540, 7571, 7576, and 7611. (A) (Reserved) (13) "Prospective Adoptive Parent" means, as defined at Family Code section 8542, a person who has filed, or intends to file, an adoption petition to adopt a child who has been or who is to be placed in the person's physical care.

(1)

"Parent" means a birth parent or adoptive parent of a child.

(2)

"Parent of an Indian Child" means a parent as defined at section 1903(9) of the ICWA.

(A) (Reserved)

(A)

(Reserved)

(3)

"Parties to Grievance Review" means the applicant or prospective adoptive parent requesting the review and the representative of the agency responsible for the action.

(4)

"Party State" means, for the purpose of the ICPC, a state or territory which is a member of the Interstate Compact on the Placement of Children.

(5)

"Permanency Planning Family" means the home of a relative, a licensed foster family home as defined in Health and Safety Code Section 1502(a)(5), or a certified family home as defined in Health and Safety Code Section 1506(d) willing to assist in implementation of the child's case plan by facilitating family reunification while being prepared to provide the child with legal permanence should family reunification fail.

(6)

"Personal Knowledge," as described at Family Code section 8801(b), means substantially correct knowledge of information about the prospective adoptive parent(s). (A) Substantially correct means accurate in the agency's judgment.

(A)

Substantially correct means accurate in the agency's judgment.

(7)

"Petitioner" means a prospective adoptive parent who has filed an Adopt 200 form with the superior court pursuant to Family Code section 8802 for an independent adoption, pursuant to Family Code section 8714 for an agency adoption, or pursuant to Family Code sections 8911 and 8912 for an intercountry adoption.

(8)

"Place for Adoption" means: (A) For the purpose of an agency adoption, the agency's placement of a child who has been freed for adoption placement either by relinquishment to the agency or by the court order. (B) For the purpose of an independent adoption, means placed for adoption as defined at Family Code section 8539.

(A)

For the purpose of an agency adoption, the agency's placement of a child who has been freed for adoption placement either by relinquishment to the agency or by the court order.

(B)

For the purpose of an independent adoption, means placed for adoption as defined at Family Code section 8539.

(9)

"Placement" means, for the purpose of the ICPC:(A) In an agency adoption, the arrangement for the care of a child in a family that has been studied and approved for adoption. (B) In an independent adoption, the arrangement for the care of a child in a family that has had a valid preplacement interview completed by a licensed adoption agency.

(A)

In an agency adoption, the arrangement for the care of a child in a family that has been studied and approved for adoption.

(B)

In an independent adoption, the arrangement for the care of a child in a family that has had a valid preplacement interview completed by a licensed adoption agency.

(10)

"Post-adoption Contact Agreement" means a voluntary written agreement entered into by the child's birth relatives, including the birth parent(s) or an Indian tribe, and the adoptive parent(s) pursuant to Family Code section 8616.5 or subdivision (f) of Section 8620.

(11)

"Preplacement Evaluaton" means preplacement evaluation as defined at Family Code section 8811.5.

(12)

"Presumed Parent" means a person, as defined at Family Code sections 7540, 7571, 7576, and 7611. (A) (Reserved)

(A)

(Reserved)

(13)

"Prospective Adoptive Parent" means, as defined at Family Code section 8542, a person who has filed, or intends to file, an adoption petition to adopt a child who has been or who is to be placed in the person's physical care.

(q)

Reserved

(r)

(1) "Reassessment" means the process by which the agency and the adoptive parent determine whether there are any changes in either the child's needs or the adoptive parent's circumstances which affect duration of and/or amount of adoption assistance payments. (2) "Receiving Agency in the Independent Adoptions Program" means, for the purpose of the ICPC, the person(s) who is designated to receive a child from another party state with the intention of filing a petition to adopt that child. (3) "Receiving Agency in the Agency Adoptions Program" means, for the purpose of the ICPC, a licensed adoption agency, county adoption agency, or CDSS Adoptions Office that is designated to receive any child from another party state for the purpose of adoption. (4) "Relative" means an adopting adult who is related to the child or the child's half-sibling by blood or affinity, including all relatives whose status is preceded by the words "step," "great," "great-great," or "grand" or the spouse of any of these persons, even if the marriage was terminated by death or dissolution. (5) "Relinquishment Form" means a relinquishment document as described in Section 35145 and a Statement of Understanding as described in Section 35152.1 or 35152.2. (6) "Relinquishment of a Child" means the action of a parent who signs a relinquishment form in which they surrender

custody, control and any responsibility for the care and support of the child to the Department, county adoption agency or any licensed private adoption agency pursuant to Family Code section 8700. (7) "Rescission" means an action taken by mutual agreement between the relinquishing parent and the agency which accepted the relinquishment, to nullify the relinquishment after it has been filed. (8) "Resident of a County in California" means a person who makes his or her home in a county in California. (9) "Responsible Public Agency" means the department or licensed public adoption agency responsible for determining Adoption Assistance Program eligibility and initial and subsequent payment amounts as specified in Section 35325(c). (10) "Revocation" means: (A) In an agency adoption, an action taken by the parent who has signed a relinquishment, to nullify the relinquishment before it has been filed with the Department. (B) In an independent adoption, the action taken by the parent who has signed a Consent to Adoption to nullify said consent.

(1)

"Reassessment" means the process by which the agency and the adoptive parent determine whether there are any changes in either the child's needs or the adoptive parent's circumstances which affect duration of and/or amount of adoption assistance payments.

(2)

"Receiving Agency in the Independent Adoptions Program" means, for the purpose of the ICPC, the person(s) who is designated to receive a child from another party state with the intention of filing a petition to adopt that child.

(3)

"Receiving Agency in the Agency Adoptions Program" means, for the purpose of the ICPC, a licensed adoption agency, county adoption agency, or CDSS Adoptions Office

that is designated to receive any child from another party state for the purpose of adoption.

(4)

"Relative" means an adopting adult who is related to the child or the child's half-sibling by blood or affinity, including all relatives whose status is preceded by the words "step," "great," "great-great," or "grand" or the spouse of any of these persons, even if the marriage was terminated by death or dissolution.

(5)

"Relinquishment Form" means a relinquishment document as described in Section 35145 and a Statement of Understanding as described in Section 35152.1 or 35152.2.

(6)

"Relinquishment of a Child" means the action of a parent who signs a relinquishment form in which they surrender custody, control and any responsibility for the care and support of the child to the Department, county adoption agency or any licensed private adoption agency pursuant to Family Code section 8700.

(7)

"Rescission" means an action taken by mutual agreement between the relinquishing parent and the agency which accepted the relinquishment, to nullify the relinquishment after it has been filed.

(8)

"Resident of a County in California" means a person who makes his or her home in a county in California.

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"Responsible Public Agency" means the department or licensed public adoption agency responsible for determining Adoption Assistance Program eligibility and initial and subsequent payment amounts as specified in Section 35325(c).

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(A)

In an agency adoption, an action taken by the parent who has signed a relinquishment, to nullify the relinquishment before it has been filed with the Department.

(B)

In an independent adoption, the action taken by the parent who has signed a Consent to Adoption to nullify said consent.

(s)

(1) "Secretary" means Secretary of the Interior as defined at title 25 United States Code, section 1903(11). (2) "Sending Agency" means, for the purpose of the ICPC and consistent with the regulation adopted under the ICPC, one of the following:(A) In an agency adoption, a licensed adoption agency, county adoption agency, or CDSS Adoption Office that sends, brings, or causes to be sent or brought any child to another party state for the purpose of adoption. (B) In an independent adoption, the birth parent(s), individual or other entity authorized by the laws of the sending state, who sends, brings, or causes to be sent or brought any child to another party state for the purpose of adoption. (3) "Sending State in the Independent Adoptions Program" means, for the purpose of the ICPC, the state of residence of the sending agency placing a child for adoption. (4) "Set Aside" means the legal process by which adoptive parents can secure the dismissal of the decree of adoption. (5) "Special Needs Child" means special needs child as defined at Family Code Section 8545. (6) "Statewide Lower Income" means the California lower income as

projected and adjusted for family size by the California Department of Housing and Community Development. (7) "Subsequent Arrest Notifications" means the notification of subsequent state or federal arrests or dispositions provided by the Department of Justice, pursuant to Penal Code section 11105.2.

(1)

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"Sending Agency" means, for the purpose of the ICPC and consistent with the regulation adopted under the ICPC, one of the following: (A) In an agency adoption, a licensed adoption agency, county adoption agency, or CDSS Adoption Office that sends, brings, or causes to be sent or brought any child to another party state for the purpose of adoption. (B) In an independent adoption, the birth parent(s), individual or other entity authorized by the laws of the sending state, who sends, brings, or causes to be sent or brought any child to another party state for the purpose of adoption.

(A)

In an agency adoption, a licensed adoption agency, county adoption agency, or CDSS Adoption Office that sends, brings, or causes to be sent or brought any child to another party state for the purpose of adoption.

(B)

In an independent adoption, the birth parent(s), individual or other entity authorized by the laws of the sending state, who sends, brings, or causes to be sent or brought any child to another party state for the purpose of adoption.

(3)

"Sending State in the Independent Adoptions Program" means, for the purpose of the ICPC, the state of residence of the sending agency placing a child for adoption.

(4)

"Set Aside" means the legal process by which adoptive parents can secure the dismissal of the decree of adoption.

(5)

"Special Needs Child" means special needs child as defined at Family Code Section 8545.

(6)

"Statewide Lower Income" means the California lower income as projected and adjusted for family size by the California Department of Housing and Community Development.

(7)

"Subsequent Arrest Notifications" means the notification of subsequent state or federal arrests or dispositions provided by the Department of Justice, pursuant to Penal Code section 11105.2.

(t)

(1) "Tribal Customary Adoption" means an adoption of an Indian child who is a dependent of a county court and, pursuant to Welfare and Institutions Code section 366.24, is finalized by and through the customs, laws or traditions of the child's tribe. Termination of parental rights is not required to effectuate the adoption.

(1)

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(u)

(1) "USCIS" means the United States Citizenship and Immigration Services within the United States Department of Homeland Security.

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"USCIS" means the United States Citizenship and Immigration Services within the United States Department of Homeland Security.

(v)

(1) "Valid Preplacement Evaluation" means, for the purpose of an independent adoption, a written assessment and evaluation of the prospective adoptive parent(s), completed no more than one year prior to the signing of the adoption placement agreement, certifying suitability to be an adoptive parent consistent with regulation Sections 35087 through 35094. (2) "Valid Private Agency Adoption Home Study" means, for the purpose of an independent adoption, a home study approved by a licensed private adoption agency that is less than two years old at the time of filing a petition. (3) "Voluntary Declaration of Paternity" means voluntary declaration of paternity as defined at Family Code section 7571.

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"Valid Preplacement Evaluation" means, for the purpose of an independent adoption, a written assessment and evaluation of the prospective adoptive parent(s), completed no more than one year prior to the signing of the adoption placement agreement, certifying suitability to be an adoptive parent consistent with regulation Sections 35087 through 35094.

(2)

"Valid Private Agency Adoption Home Study" means, for the purpose of an independent adoption, a home study approved by a licensed private adoption agency that is less than two years old at the time of filing a petition.

(3)

"Voluntary Declaration of Paternity" means voluntary declaration of paternity as defined at Family Code section 7571.

(w)

Reserved

(x)

Reserved

(y)

Reserved

(z)

Reserved