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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 3@ Administrative Requirements

35044 Procedures Regarding Unavailability of Documents

Article 1.1@ Unavailability of Verifying Documents

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Section 35044@ Procedures Regarding Unavailability of Documents

When a verifying official document is unavailable, the agency shall request the individual who would have submitted the official document to attempt to obtain a letter from the appropriate United States or foreign official stating that the document is not available and the reason it is not available.

(b)

If a letter from the appropriate official is not received within 60 days of the individual's request, the agency shall request the individual's signed and notarized declaration specifying the: (1) Type of document not available. (2) Factual information contained on the document. (3) Measures taken to obtain a copy of the document and to obtain a letter from the appropriate United States or foreign official. (4) Certification that includes the following statement:(A) "I certify under penalty of perjury that the above stated information is a true and accurate accounting."

(1)

Type of document not available.

(2)

Factual information contained on the document.

(3)

Measures taken to obtain a copy of the document and to obtain a letter from the

appropriate United States or foreign official.

(4)

Certification that includes the following statement:(A) "I certify under penalty of perjury that the above stated information is a true and accurate accounting."

(A)

"I certify under penalty of perjury that the above stated information is a true and accurate accounting."

(c)

The agency shall include in the adoption case record: (1) Information about the unavailable official document. (2) The letter and declaration required by subsections (a) and (b) above, as appropriate.

(1)

Information about the unavailable official document.

(2)

The letter and declaration required by subsections (a) and (b) above, as appropriate.

(d)

The agency shall include in the court report: (1) Information about the unavailable official document. (2) An explanation regarding the unavailability of the letter from the appropriate United States or foreign official.

(1)

Information about the unavailable official document.

(2)

An explanation regarding the unavailability of the letter from the appropriate United States or foreign official.