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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 4@ Procedures for Independent Adoptions

35095.1 Statement of Understanding for the Parent

Article 3@ Prerequisites to Consent

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Section 35095.1@ Statement of Understanding for the Parent Whose Child is Not Subject to the ICWA

(a)

(Reserved)

(b)

The Statement of Understanding shall contain statements which summarize the following: (1) For the parent who gave physical custody of the child to the

adoptive parents but who did not place the child for independent adoption: (A)

The parent wants to give his child permanently to the petitioners for adoption. (B)

The parent has chosen the petitioners to be adoptive parents based on the parent's personal knowledge pursuant to Family Code Section 8801. 1.

(Reserved) (C) The parent has the right to seek legal counsel to assist in the

Independent Adoption process, and the petitioners may be required to pay the cost, up to \$500, of such legal counsel, unless a higher fee is agreed to by the

parties. (D) The parent may talk about the plan to place the child for adoption with other professionals and with family and friends. (E) The parent knows there are

other services to assist with finance, employment, education, housing, temporary child care and health matters if uncertain about consenting to the adoption.1. The

agency will make a referral to the appropriate resource. (F) If the parent does not

wish to consent to the adoption, the parent may sign a AD 20 or write a letter to

the adoption agency and the adoption agency will report to the court that the

parent does not want the child adopted by the petitioners. (G) If the parent does not sign the consent to adoption, the parent may request that the child be returned. If the petitioners do not return the child, the parent may ask the court for the return of the child. The parent will probably need legal help to do so. (H) The consent will automatically become an irrevocable consent to adoption on the 91st day after it is signed or when the parent signs a waiver of the right to revoke consent, whichever occurs first. 1. If the parent changes his or her mind after signing the consent to adoption and wishes to revoke the consent to adoption, the parent must sign and deliver to the department or delegated county adoption agency a written statement revoking the consent and requesting that the child be returned. Such action may not be taken after the 90th day after signing the consent or after signing a waiver of the right to revoke consent, whichever occurs first. 2. When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the prospective adoptive parents agree to withdraw their petition for adoption or the court denies the petition. (I) The parent remains legally responsible for the child until the adoption is granted by the court. The agency will notify the parent if the child is not adopted by the petitioners to determine the parent's further plans for the child. The parent must keep the agency informed of his or her address. (J) The parent has received enough information about the petitioners and about the child's adjustment in the petitioners' family and wishes to proceed with signing the consent to adoption. (K) After the court grants the adoption, the parent will no longer be the child's legal parent, which means: 1. The parent will no longer be responsible for the care of the child. 2. The petitioners will be the legal parents of the child and will be legally responsible for caring for the child. 3. The parent will no longer have any right to the custody, services or earnings of the child. (L) The agency is required to give the

parent all known information about the status of the child's adoption including the approximate date the adoption was completed and if the adoption was not completed or was vacated, for any reason, whether adoptive placement of the child is again being considered. (M) Adoption terminates any inheritance from the parents or blood relatives to the child unless they make specific provision for the child by will or by trust; the child legally inherits from his or her adoptive family. (N) After the child has been legally adopted, the parent cannot reclaim the child. (O) The agency cannot release any identifying information about the parent unless: 1. The welfare of the child requires the release of information to certain agencies as specified in law relating to the adoption petition, or 2. The adult adoptee and birth parent both sign written consents to arrange contact between these persons in accordance with Family Code Section 9204, or (i) (Reserved) 3. The adoptee who has reached the age of 21 has requested the identity of his or her birth parent and his or her most current address as indicated in the agency's records if the birth parent has indicated consent to the disclosure in writing in accordance with Family Code Section 9203, or 4. The birth parent of an adopted person who has reached the age of 21 has requested the adopted name of the adoptee and most current address as shown in the agency's records if the adult adoptee has indicated consent to the disclosure in writing in accordance with Family Code Section 9203, or 5. The adoptive parent of an adopted person under 21 years of age has requested the identity of the birth parent and his or her most current address as shown in the agency's records if there is a finding by the agency a necessity or other extraordinary circumstance justifies the disclosure in accordance with Family Code Section 9203. (i) (Reserved) (P) The parent will be able, at any time, to add information about him or herself to the agency's adoption record. (Q) The law permits the court to release identifying information

from the court adoption file after considering the reasons for the request. (R) Within five years of the granting of the adoption in court the parent shall have the right to petition the court to set aside the adoption if the consent is obtained through fraud or duress. (S) The parent has considered the reasons for consenting to or not consenting to the adoption of the child and has decided that to consent to adoption of the child by the petitioners is in the best interest of the child. (T) The Statement of Understanding for the parent who gave physical custody of the child not subject to the provisions of the ICWA but who did not place the child for adoption as provided by Sections 35094.2 and 35094.3 is the AD 887. (2) For the parent who intends to place the child for independent adoption as provided by Sections 35094.2 and 35094.3: (A) The parent wants to give his or her child permanently to the prospective adoptive parents for adoption. (B) The parent has chosen the prospective adoptive parents to be adoptive parents based on the parent's personal knowledge pursuant to Family Code Section 8801. 1. (Reserved) (C) The parent has the right to seek legal counsel to assist in the Independent Adoption process, and the prospective adoptive parents may be required to pay the cost, up to \$500, of such legal counsel, unless a higher fee is agreed to by the parties. (D) The parent may talk about the plan to place the child for adoption with other professionals and with family and friends. (E) The parent knows there are other services to assist with finance, employment, education, housing, temporary child care and health matters if uncertain about consenting to the adoption. 1. The adoptive service provider will make a referral to the appropriate resource. (F) The parent has a right to a minimum of three separate counseling sessions with an adoption service provider or a licensed psychotherapist which, at the birth parent's request, shall be paid for by the prospective adoptive parent. (G) If the parent does not wish to place the child for

adoption, the parent should not sign the Independent Adoption Placement Agreement. (H) The agreement will automatically become an irrevocable consent to adoption on the 91st day after it is signed or when the parent signs a waiver of the right to revoke consent, whichever occurs first. 1. If the parent changes his or her mind after signing the adoption placement agreement and wishes to revoke the agreement, the parent must sign and deliver to the department or delegated county adoption agency a written statement revoking the agreement and requesting that the child be returned. Such action may not be taken after the 90th day after signing the agreement or after signing a waiver of the right to revoke consent, whichever occurs first. 2. When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the prospective adoptive parents agree to withdraw their petition for adoption or the court denies the petition. (I) The parent remains legally responsible for the child until the adoption is granted by the court. The agency will notify the parent if the child is not adopted by the prospective adoptive parents to determine the parent's further plans for the child. The parent must keep the agency informed of his or her address. (J) The parent has received enough information about the prospective adoptive parents and wishes to proceed with signing the adoption placement agreement. (K) The statements required by subsections 35095.1(b)(1)(K) through (R). (L) The parent has considered the reasons for placing or not placing the child for adoption and has decided that to place the child for adoption with the prospective adoptive parents is in the best interest of the child. (M) The Statement of Understanding for the parent who placed the child for adoption as provided by Sections 35094.2 and 35094.3 is the AD 926. (3) For the parent who did not give physical custody of the child to the adopting parents: (A) The parent has carefully considered the reasons for consenting to the adoption of the

child by the petitioners. (B) The statements required by subsections 35095.1(b)(1)(c), (D), (E) and (F). (C) If the parent does not sign the consent to adoption the parent may request the right to physical custody of the child in court. The parent probably will need an attorney to help him or her do this. (D) The statements required by subsections 35095.1(b)(1)(H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R) and (S). (E) The Statement of Understanding for the legal parent who did not give physical custody of the child not subject to the provisions of the ICWA is the AD 887A. (4) For the alleged natural father: (A) He has carefully considered the reasons for consenting to the adoption of the child by the petitioners. (B) He has been told why he is considered to be the alleged natural father of the child and he can deny paternity, waive his rights to further notice of the adoption proceedings, sign a consent to adoption or file a petition to establish the father and child relationship. (C) The statements required by subsections 35095.1(b)(1)(C) and (D). (D) He can take court action to establish the father and child relationship and request the right to physical custody of the child.¹ He has the right to seek legal counsel to assist in establishing the father and child relationship and in obtaining the right to physical custody of the child and the adoption agency can refer him to public legal assistance in the community. (E) He understands that if he does not sign the Statement of Understanding and consent to adoption, the petitioners can petition the court to terminate his parental rights.

1. He has the right to look for a lawyer to help him argue against this; and 2. The adoption agency can refer him to public legal help in his community. (F) If he is successful in establishing the father and child relationship and obtaining the right to physical custody of the child, he may obtain other services to assist with finance, employment, education, housing, temporary child care and health matters.¹ The agency will make a referral to the appropriate resource. (G) The

statements required by subsections 35095.1(b)(1)(H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R) and (S). (H) The Statement of Understanding for alleged natural father of a child not subject to the provisions of the ICWA is the AD 887B.

(1)

For the parent who gave physical custody of the child to the adoptive parents but who did not place the child for independent adoption: (A) The parent wants to give his child permanently to the petitioners for adoption. (B) The parent has chosen the petitioners to be adoptive parents based on the parent's personal knowledge pursuant to Family Code Section 8801. 1. (Reserved) (C) The parent has the right to seek legal counsel to assist in the Independent Adoption process, and the petitioners may be required to pay the cost, up to \$500, of such legal counsel, unless a higher fee is agreed to by the parties. (D) The parent may talk about the plan to place the child for adoption with other professionals and with family and friends. (E) The parent knows there are other services to assist with finance, employment, education, housing, temporary child care and health matters if uncertain about consenting to the adoption.1. The agency will make a referral to the appropriate resource. (F) If the parent does not wish to consent to the adoption, the parent may sign a AD 20 or write a letter to the adoption agency and the adoption agency will report to the court that the parent does not want the child adopted by the petitioners. (G) If the parent does not sign the consent to adoption, the parent may request that the child be returned. If the petitioners do not return the child, the parent may ask the court for the return of the child. The parent will probably need legal help to do so. (H) The consent will automatically become an irrevocable consent to adoption on the 91st day after it is signed or when the parent signs a waiver of the right to revoke consent, whichever occurs first.1. If the parent changes his or her mind after signing the consent to adoption and wishes to revoke the consent to adoption, the parent must sign and

deliver to the department or delegated county adoption agency a written statement revoking the consent and requesting that the child be returned. Such action may not be taken after the 90th day after signing the consent or after signing a waiver of the right to revoke consent, whichever occurs first. 2. When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the prospective adoptive parents agree to withdraw their petition for adoption or the court denies the petition. (I) The parent remains legally responsible for the child until the adoption is granted by the court. The agency will notify the parent if the child is not adopted by the petitioners to determine the parent's further plans for the child. The parent must keep the agency informed of his or her address. (J) The parent has received enough information about the petitioners and about the child's adjustment in the petitioners' family and wishes to proceed with signing the consent to adoption. (K) After the court grants the adoption, the parent will no longer be the child's legal parent, which means: 1. The parent will no longer be responsible for the care of the child. 2. The petitioners will be the legal parents of the child and will be legally responsible for caring for the child. 3. The parent will no longer have any right to the custody, services or earnings of the child. (L) The agency is required to give the parent all known information about the status of the child's adoption including the approximate date the adoption was completed and if the adoption was not completed or was vacated, for any reason, whether adoptive placement of the child is again being considered. (M) Adoption terminates any inheritance from the parents or blood relatives to the child unless they make specific provision for the child by will or by trust; the child legally inherits from his or her adoptive family. (N) After the child has been legally adopted, the parent cannot reclaim the child. (O) The agency cannot release any identifying information about the parent unless: 1. The welfare of the child requires the release of information to certain agencies as specified in law relating to the

adoption petition, or 2. The adult adoptee and birth parent both sign written consents to arrange contact between these persons in accordance with Family Code Section 9204, or (i) (Reserved) 3. The adoptee who has reached the age of 21 has requested the identity of his or her birth parent and his or her most current address as indicated in the agency's records if the birth parent has indicated consent to the disclosure in writing in accordance with Family Code Section 9203, or 4. The birth parent of an adopted person who has reached the age of 21 has requested the adopted name of the adoptee and most current address as shown in the agency's records if the adult adoptee has indicated consent to the disclosure in writing in accordance with Family Code Section 9203, or 5. The adoptive parent of an adopted person under 21 years of age has requested the identity of the birth parent and his or her most current address as shown in the agency's records if there is a finding by the agency a necessity or other extraordinary circumstance justifies the disclosure in accordance with Family Code Section 9203. (i) (Reserved) (P) The parent will be able, at any time, to add information about him or herself to the agency's adoption record. (Q) The law permits the court to release identifying information from the court adoption file after considering the reasons for the request. (R) Within five years of the granting of the adoption in court the parent shall have the right to petition the court to set aside the adoption if the consent is obtained through fraud or duress. (S) The parent has considered the reasons for consenting to or not consenting to the adoption of the child and has decided that to consent to adoption of the child by the petitioners is in the best interest of the child. (T) The Statement of Understanding for the parent who gave physical custody of the child not subject to the provisions of the ICWA but who did not place the child for adoption as provided by Sections 35094.2 and 35094.3 is the AD 887.

(A)

The parent wants to give his child permanently to the petitioners for adoption.

(B)

The parent has chosen the petitioners to be adoptive parents based on the parent's personal knowledge pursuant to Family Code Section 8801. 1. (Reserved)

1.

(Reserved)

(C)

The parent has the right to seek legal counsel to assist in the Independent Adoption process, and the petitioners may be required to pay the cost, up to \$500, of such legal counsel, unless a higher fee is agreed to by the parties.

(D)

The parent may talk about the plan to place the child for adoption with other professionals and with family and friends.

(E)

The parent knows there are other services to assist with finance, employment, education, housing, temporary child care and health matters if uncertain about consenting to the adoption.1. The agency will make a referral to the appropriate resource.

1.

The agency will make a referral to the appropriate resource.

(F)

If the parent does not wish to consent to the adoption, the parent may sign a AD 20 or write a letter to the adoption agency and the adoption agency will report to the court that the parent does not want the child adopted by the petitioners.

(G)

If the parent does not sign the consent to adoption, the parent may request that the child be returned. If the petitioners do not return the child, the parent may ask the court for the

return of the child. The parent will probably need legal help to do so.

(H)

The consent will automatically become an irrevocable consent to adoption on the 91st day after it is signed or when the parent signs a waiver of the right to revoke consent, whichever occurs first. 1. If the parent changes his or her mind after signing the consent to adoption and wishes to revoke the consent to adoption, the parent must sign and deliver to the department or delegated county adoption agency a written statement revoking the consent and requesting that the child be returned. Such action may not be taken after the 90th day after signing the consent or after signing a waiver of the right to revoke consent, whichever occurs first. 2. When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the prospective adoptive parents agree to withdraw their petition for adoption or the court denies the petition.

1.

If the parent changes his or her mind after signing the consent to adoption and wishes to revoke the consent to adoption, the parent must sign and deliver to the department or delegated county adoption agency a written statement revoking the consent and requesting that the child be returned. Such action may not be taken after the 90th day after signing the consent or after signing a waiver of the right to revoke consent, whichever occurs first.

2.

When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the prospective adoptive parents agree to withdraw their petition for adoption or the court denies the petition.

(I)

The parent remains legally responsible for the child until the adoption is granted by the court. The agency will notify the parent if the child is not adopted by the petitioners to determine the parent's further plans for the child. The parent must keep the agency informed of his or

her address.

(J)

The parent has received enough information about the petitioners and about the child's adjustment in the petitioners' family and wishes to proceed with signing the consent to adoption.

(K)

After the court grants the adoption, the parent will not longer be the child's legal parent, which means: 1. The parent will no longer be responsible for the care of the child. 2. The petitioners will be the legal parents of the child and will be legally responsible for caring for the child. 3. The parent will no longer have any right to the custody, services or earnings of the child.

1.

The parent will no longer be responsible for the care of the child.

2.

The petitioners will be the legal parents of the child and will be legally responsible for caring for the child.

3.

The parent will no longer have any right to the custody, services or earnings of the child.

(L)

The agency is required to give the parent all known information about the status of the child's adoption including the approximate date the adoption was completed and if the adoption was not completed or was vacated, for any reason, whether adoptive placement of the child is again being considered.

(M)

Adoption terminates any inheritance from the parents or blood relatives to the child unless they make specific provision for the child by will or by trust; the child legally inherits from his

or her adoptive family.

(N)

After the child has been legally adopted, the parent cannot reclaim the child.

(O)

The agency cannot release any identifying information about the parent unless: 1. The welfare of the child requires the release of information to certain agencies as specified in law relating to the adoption petition, or 2. The adult adoptee and birth parent both sign written consents to arrange contact between these persons in accordance with Family Code Section 9204, or (i) (Reserved) 3. The adoptee who has reached the age of 21 has requested the identity of his or her birth parent and his or her most current address as indicated in the agency's records if the birth parent has indicated consent to the disclosure in writing in accordance with Family Code Section 9203, or 4. The birth parent of an adopted person who has reached the age of 21 has requested the adopted name of the adoptee and most current address as shown in the agency's records if the adult adoptee has indicated consent to the disclosure in writing in accordance with Family Code Section 9203, or 5. The adoptive parent of an adopted person under 21 years of age has requested the identity of the birth parent and his or her most current address as shown in the agency's records if there is a finding by the agency a necessity or other extraordinary circumstance justifies the disclosure in accordance with Family Code Section 9203. (i) (Reserved)

1.

The welfare of the child requires the release of information to certain agencies as specified in law relating to the adoption petition, or

2.

The adult adoptee and birth parent both sign written consents to arrange contact between these persons in accordance with Family Code Section 9204, or (i) (Reserved)

(i)

(Reserved)

3.

The adoptee who has reached the age of 21 has requested the identity of his or her birth parent and his or her most current address as indicated in the agency's records if the birth parent has indicated consent to the disclosure in writing in accordance with Family Code Section 9203, or

4.

The birth parent of an adopted person who has reached the age of 21 has requested the adopted name of the adoptee and most current address as shown in the agency's records if the adult adoptee has indicated consent to the disclosure in writing in accordance with Family Code Section 9203, or

5.

The adoptive parent of an adopted person under 21 years of age has requested the identity of the birth parent and his or her most current address as shown in the agency's records if there is a finding by the agency a necessity or other extraordinary circumstance justifies the disclosure in accordance with Family Code Section 9203. (i) (Reserved)

(i)

(Reserved)

(P)

The parent will be able, at any time, to add information about him or herself to the agency's adoption record.

(Q)

The law permits the court to release identifying information from the court adoption file after considering the reasons for the request.

(R)

Within five years of the granting of the adoption in court the parent shall have the right to petition the court to set aside the adoption if the consent is obtained through fraud or duress.

(S)

The parent has considered the reasons for consenting to or not consenting to the adoption of the child and has decided that to consent to adoption of the child by the petitioners is in the best interest of the child.

(T)

The Statement of Understanding for the parent who gave physical custody of the child not subject to the provisions of the ICWA but who did not place the child for adoption as provided by Sections 35094.2 and 35094.3 is the AD 887.

(2)

For the parent who intends to place the child for independent adoption as provided by Sections 35094.2 and 35094.3: (A) The parent wants to give his or her child permanently to the prospective adoptive parents for adoption. (B) The parent has chosen the prospective adoptive parents to be adoptive parents based on the parent's personal knowledge pursuant to Family Code Section 8801. 1. (Reserved) (C) The parent has the right to seek legal counsel to assist in the Independent Adoption process, and the prospective adoptive parents may be required to pay the cost, up to \$500, of such legal counsel, unless a higher fee is agreed to by the parties. (D) The parent may talk about the plan to place the child for adoption with other professionals and with family and friends. (E) The parent knows there are other services to assist with finance, employment, education, housing, temporary child care and health matters if uncertain about consenting to the adoption. 1. The adoptive service provider will make a referral to the appropriate resource. (F) The parent has a right to a minimum of three separate counseling sessions with an adoption service provider or a licensed psychotherapist which, at the birth parent's request, shall be paid for by the prospective adoptive parent. (G) If the parent does not wish to place the child for adoption, the parent should not sign the Independent Adoption Placement Agreement.

(H) The agreement will automatically become an irrevocable consent to adoption on the 91st day after it is signed or when the parent signs a waiver of the right to revoke consent, whichever occurs first. 1. If the parent changes his or her mind after signing the adoption placement agreement and wishes to revoke the agreement, the parent must sign and deliver to the department or delegated county adoption agency a written statement revoking the agreement and requesting that the child be returned. Such action may not be taken after the 90th day after signing the agreement or after signing a waiver of the right to revoke consent, whichever occurs first. 2. When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the prospective adoptive parents agree to withdraw their petition for adoption or the court denies the petition. (I) The parent remains legally responsible for the child until the adoption is granted by the court. The agency will notify the parent if the child is not adopted by the prospective adoptive parents to determine the parent's further plans for the child. The parent must keep the agency informed of his or her address. (J) The parent has received enough information about the prospective adoptive parents and wishes to proceed with signing the adoption placement agreement. (K) The statements required by subsections 35095.1(b)(1)(K) through (R). (L) The parent has considered the reasons for placing or not placing the child for adoption and has decided that to place the child for adoption with the prospective adoptive parents is in the best interest of the child. (M) The Statement of Understanding for the parent who placed the child for adoption as provided by Sections 35094.2 and 35094.3 is the AD 926.

(A)

The parent wants to give his or her child permanently to the prospective adoptive parents for adoption.

(B)

The parent has chosen the prospective adoptive parents to be adoptive parents based on the parent's personal knowledge pursuant to Family Code Section 8801. 1. (Reserved)

1.

(Reserved)

(C)

The parent has the right to seek legal counsel to assist in the Independent Adoption process, and the prospective adoptive parents may be required to pay the cost, up to \$500, of such legal counsel, unless a higher fee is agreed to by the parties.

(D)

The parent may talk about the plan to place the child for adoption with other professionals and with family and friends.

(E)

The parent knows there are other services to assist with finance, employment, education, housing, temporary child care and health matters if uncertain about consenting to the adoption.1. The adoptive service provider will make a referral to the appropriate resource.

1.

The adoptive service provider will make a referral to the appropriate resource.

(F)

The parent has a right to a minimum of three separate counseling sessions with an adoption service provider or a licensed psychotherapist which, at the birth parent's request, shall be paid for by the prospective adoptive parent.

(G)

If the parent does not wish to place the child for adoption, the parent should not sign the Independent Adoption Placement Agreement.

(H)

The agreement will automatically become an irrevocable consent to adoption on the 91st

day after it is signed or when the parent signs a waiver of the right to revoke consent, whichever occurs first. 1. If the parent changes his or her mind after signing the adoption placement agreement and wishes to revoke the agreement, the parent must sign and deliver to the department or delegated county adoption agency a written statement revoking the agreement and requesting that the child be returned. Such action may not be taken after the 90th day after signing the agreement or after signing a waiver of the right to revoke consent, whichever occurs first. 2. When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the prospective adoptive parents agree to withdraw their petition for adoption or the court denies the petition.

1.

If the parent changes his or her mind after signing the adoption placement agreement and wishes to revoke the agreement, the parent must sign and deliver to the department or delegated county adoption agency a written statement revoking the agreement and requesting that the child be returned. Such action may not be taken after the 90th day after signing the agreement or after signing a waiver of the right to revoke consent, whichever occurs first.

2.

When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the prospective adoptive parents agree to withdraw their petition for adoption or the court denies the petition.

(I)

The parent remains legally responsible for the child until the adoption is granted by the court. The agency will notify the parent if the child is not adopted by the prospective adoptive parents to determine the parent's further plans for the child. The parent must keep the agency informed of his or her address.

(J)

The parent has received enough information about the prospective adoptive parents and

wishes to proceed with signing the adoption placement agreement.

(K)

The statements required by subsections 35095.1(b)(1)(K) through (R).

(L)

The parent has considered the reasons for placing or not placing the child for adoption and has decided that to place the child for adoption with the prospective adoptive parents is in the best interest of the child.

(M)

The Statement of Understanding for the parent who placed the child for adoption as provided by Sections 35094.2 and 35094.3 is the AD 926.

(3)

For the parent who did not give physical custody of the child to the adopting parents:

(A) The parent has carefully considered the reasons for consenting to the adoption of the child by the petitioners. (B) The statements required by subsections 35095.1(b)(1)(c), (D), (E) and (F). (C) If the parent does not sign the consent to adoption the parent may request the right to physical custody of the child in court. The parent probably will need an attorney to help him or her do this. (D) The statements required by subsections 35095.1(b)(1)(H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R) and (S). (E) The Statement of Understanding for the legal parent who did not give physical custody of the child not subject to the provisions of the ICWA is the AD 887A.

(A)

The parent has carefully considered the reasons for consenting to the adoption of the child by the petitioners.

(B)

The statements required by subsections 35095.1(b)(1)(c), (D), (E) and (F).

(C)

If the parent does not sign the consent to adoption the parent may request the right to physical custody of the child in court. The parent probably will need an attorney to help him or her do this.

(D)

The statements required by subsections 35095.1(b)(1)(H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R) and (S).

(E)

The Statement of Understanding for the legal parent who did not give physical custody of the child not subject to the provisions of the ICWA is the AD 887A.

(4)

For the alleged natural father: (A) He has carefully considered the reasons for consenting to the adoption of the child by the petitioners. (B) He has been told why he is considered to be the alleged natural father of the child and he can deny paternity, waive his rights to further notice of the adoption proceedings, sign a consent to adoption or file a petition to establish the father and child relationship. (C) The statements required by subsections 35095.1(b)(1)(C) and (D). (D) He can take court action to establish the father and child relationship and request the right to physical custody of the child. 1. He has the right to seek legal counsel to assist in establishing the father and child relationship and in obtaining the right to physical custody of the child and the adoption agency can refer him to public legal assistance in the community. (E) He understands that if he does not sign the Statement of Understanding and consent to adoption, the petitioners can petition the court to terminate his parental rights. 1. He has the right to look for a lawyer to help him argue against this; and 2. The adoption agency can refer him to public legal help in his community. (F) If he is successful in establishing the father and child relationship and obtaining the right to physical custody of the child, he may obtain other services to

assist with finance, employment, education, housing, temporary child care and health matters.1. The agency will make a referral to the appropriate resource. (G) The statements required by subsections 35095.1(b)(1)(H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R) and (S). (H) The Statement of Understanding for alleged natural father of a child not subject to the provisions of the ICWA is the AD 887B.

(A)

He has carefully considered the reasons for consenting to the adoption of the child by the petitioners.

(B)

He has been told why he is considered to be the alleged natural father of the child and he can deny paternity, waive his rights to further notice of the adoption proceedings, sign a consent to adoption or file a petition to establish the father and child relationship.

(C)

The statements required by subsections 35095.1(b)(1)(C) and (D).

(D)

He can take court action to establish the father and child relationship and request the right to physical custody of the child.1. He has the right to seek legal counsel to assist in establishing the father and child relationship and in obtaining the right to physical custody of the child and the adoption agency can refer him to public legal assistance in the community.

1.

He has the right to seek legal counsel to assist in establishing the father and child relationship and in obtaining the right to physical custody of the child and the adoption agency can refer him to public legal assistance in the community.

(E)

He understands that if he does not sign the Statement of Understanding and consent to adoption, the petitioners can petition the court to terminate his parental rights. 1. He has

the right to look for a lawyer to help him argue against this; and 2. The adoption agency can refer him to public legal help in his community.

1.

He has the right to look for a lawyer to help him argue against this; and

2.

The adoption agency can refer him to public legal help in his community.

(F)

If he is successful in establishing the father and child relationship and obtaining the right to physical custody of the child, he may obtain other services to assist with finance, employment, education, housing, temporary child care and health matters.¹ The agency will make a referral to the appropriate resource.

1.

The agency will make a referral to the appropriate resource.

(G)

The statements required by subsections 35095.1(b)(1)(H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R) and (S).

(H)

The Statement of Understanding for alleged natural father of a child not subject to the provisions of the ICWA is the AD 887B.