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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 5@ Procedures for Agency Adoptions

35129.1 Advisement of the Parent Whose Child Has Not

Article 3@ Services for the Birth Parents

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Section 35129.1@ Advisement of the Parent Whose Child Has Not Been Removed from the Parent's Care

(a)

(Reserved)

(b)

When advising a mother or presumed father who is considering the relinquishment of a child who is not detained, a juvenile court dependent in out-of-home care, or the ward of a legal guardian, the agency shall inform the birth parent of: (1) The parent's right to seek legal counsel to assist him or her in the relinquishment process: (A) Upon the parent's request, the agency shall refer the parent to legal resources, including: 1. Attorney referral services, 2. Legal aid offices, or 3. Other known public legal assistance. (B) If the child is a juvenile court dependent, the agency also shall inform the parent that the relinquishment is subject to the requirements of subdivision (b) of Section 361 of the Welfare and Institution Code per Family Code section 8700(i) as specified in Section 35129.2(b)(1). (2) The reason, if any, the agency believes the parent is a presumed father of the child. (B) The agency shall explain that if he does not believe he is the father, but agrees to the adoption, he may: 1. Sign a relinquishment document stating that, although he is relinquishing his parental rights, he does not believe that he is the father of the child. 2. File a petition with the court asking the court to determine that he is not the child's father. 3. Sign a

waiver of right to notice of any adoption proceedings. (3) Alternatives to adoptive placement of the child including, but not limited to: (A) Services which would assist the birth parent in caring for the child, including:

1. Financial resources such as child support and Temporary Assistance to Needy Families (TANF).
2. Employment resources such as vocational training and Employment Development Department services.
3. Educational resources such as continuation school and General Equivalency Diploma programs.
4. Child care resources, including the availability of subsidized day care.
5. Housing resources such as shared housing with relatives or nonrelatives and government subsidized housing.
6. Health service resources such as well baby clinics, Child Health and Disability Prevention Programs (CHDP), California Children's Services, and Medi-Cal.

(B) Services, such as voluntary foster care placement or temporary placement with extended family members, which would give the parent more time to determine the most appropriate plan for the child. (4) Alternative forms of adoption, including a description of the full procedures and time frames involved in each type, which at a minimum shall include discussion of the following:

(A) Standard agency (relinquishment) adoption

1. The birth parent transfers his or her rights and responsibilities for the child to an adoption agency by signing a relinquishment of the child to the agency.
 - a. The birth parent's legal rights and responsibilities for the child end when the relinquishment is filed with the department.
 - (i) Filing includes the department's receipt and acknowledgement of a certified copy of the relinquishment form.
 - b. The relinquishment is submitted to the department on a date agreed to by the birth parent and the agency.
 - c. The birth parent may revoke the relinquishment before it is filed with the department.
 - d. The birth parent may not rescind the relinquishment after it is filed with the department unless the adoption agency agrees.
 - e. The birth parent's legal rights and

responsibilities for the child ends when the birth parent signs the Waiver of Right to Revoke Relinquishment form (AD 929A) in front of a judicial officer or the department and shall become final and irrevocable at that time. If the waiver is signed in the presence of an authorized representative of a private licensed adoption agency, the relinquishment shall become final and irrevocable at the close of the next business day after the relinquishment was signed, or at the close of the next business day after expiration of any holding period specified in writing, whichever is later.

2. The prospective adoptive parents must be assessed and approved by the adoption agency before the child is placed for adoption with the family.

3. The agency, not the birth parent, selects the adoptive parents, and the birth parent may or may not know the identity of the adoptive parents.

(B) Designated agency (relinquishment) adoption¹. These adoptions are the same as standard agency adoptions except that:

- a. The birth parent participates in the selection of the adoptive parents,
- b. The birth parent knows the identity of the adopting parents, and
- c. The birth parent has a right to rescind his or her relinquishment and thus regain his or her parental rights and responsibilities if the child is not placed with the selected family or if the placement disrupts prior to completion of the adoption.

(C) Independent adoption by relatives

2. The birth parent agrees to the prospective adopting parents' proposed adoption of the child by signing a consent to the adoption.

- a. The birth parent continues to be legally responsible for the child until the adoption is completed.
- b. The consent to the adoption becomes irrevocable on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire.
- (i) The first day of the 90-day period is the day the consent is signed.
- c. The birth parent may revoke the consent and, if he or she has legal custody, reclaim the child at any time before the consent becomes irrevocable.
- (i) When the consent becomes

irrevocable, custody of the child may be regained by the birth parent only if the potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption. d. The signing of a consent does not obligate the prospective adoptive parents to complete the adoption. 3. The prospective adoptive parents are evaluated as to their suitability to adopt either prior to the placement or after the child has begun living with them and they have filed a petition to adopt with the court. 4. The birth parent selects the adoptive parents. 5. The child begins living with the prospective adoptive parents before parental rights have been terminated. (D) Independent adoption by nonrelatives¹. Each placing birth parent is advised by an adoption service provider before agreeing to the prospective adopting parents' proposed adoption of the child by signing a placement agreement, and any non-placing birth parents agree to the proposed adoption by signing a consent. a. The birth parent continues to be legally responsible for the child until the adoption is completed. b. A placement agreement becomes an irrevocable consent to the adoption on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire. (i) The first day of the 90-day period is the day the consent is signed. c. The non-placing parent's consent becomes irrevocable on the 91st day after it is signed unless he or she waives the right to revoke the consent before the 90 days expire. (i) When the placement agreement or consent becomes an irrevocable consent, custody of the child may be regained by the birth parent only if the potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption. d. The birth parent may revoke the placement agreement or consent and, if he or she has legal custody, reclaim the child at any time before the placement agreement or consent becomes an irrevocable consent. e. The signing of a placement agreement or consent does not

obligate the prospective adoptive parents to complete the adoption. 2. The prospective adoptive parents are evaluated as to their suitability to adopt either prior to the placement or after the child has begun living with them and they have filed a petition to adopt with the court. 3. The birth parent selects the adoptive parents. 4. The child usually begins living with the prospective adoptive parents when a parent with legal custody has signed an adoptive placement agreement. (5) The agency's adoption plan for the child, should the child be relinquished or become available for adoption due to the court's termination of the parents' rights. (A) The agency shall advise the parent regarding the extent to which the agency will allow his or her participation in the selection of the adoptive family. (6) The fact that the agency may petition the court for termination of the parent's parental rights if another parent has relinquished the child to the agency or has had his or her parental rights terminated by court action and that the parent has the right to seek legal counsel to contest and appeal any such action taken by the agency. (7) The rights and responsibilities of the parent as outlined on the Statement of Understanding. (8) A relinquishing parent who is a minor, has a right to relinquish their child for adoption to the department, county adoption agency, or licensed adoption agency. The agency shall inform the parent: (A) The relinquishment is not subject to revocation by the relinquishing parent by reason of minority. (B) The relinquishment is not subject to revocation because the relinquishing minor's parent or guardian was not served with notice of the adoption, unless the minor parent had previously provided written authorization to serve their parent or guardian with the notice. (C) The agency shall review each item on the Statement of Understanding with the birth parent to be certain that the birth parent understands the meaning of each item. (D) The agency shall answer any questions the birth parent has about the meaning of any item.

(1)

The parent's right to seek legal counsel to assist him or her in the relinquishment process: (A) Upon the parent's request, the agency shall refer the parent to legal resources, including: 1. Attorney referral services, 2. Legal aid offices, or 3. Other known public legal assistance. (B) If the child is a juvenile court dependent, the agency also shall inform the parent that the relinquishment is subject to the requirements of subdivision (b) of Section 361 of the Welfare and Institution Code per Family Code section 8700(i) as specified in Section 35129.2(b)(1).

(A)

Upon the parent's request, the agency shall refer the parent to legal resources, including:
1. Attorney referral services, 2. Legal aid offices, or 3. Other known public legal assistance.

1.

Attorney referral services,

2.

Legal aid offices, or

3.

Other known public legal assistance.

(B)

If the child is a juvenile court dependent, the agency also shall inform the parent that the relinquishment is subject to the requirements of subdivision (b) of Section 361 of the Welfare and Institution Code per Family Code section 8700(i) as specified in Section 35129.2(b)(1).

(2)

The reason, if any, the agency believes the parent is a presumed father of the child.
(B) The agency shall explain that if he does not believe he is the father, but agrees to the adoption, he may: 1. Sign a relinquishment document stating that, although he is relinquishing his parental rights, he does not believe that he is the father of the child.

2. File a petition with the court asking the court to determine that he is not the child's father. 3. Sign a waiver of right to notice of any adoption proceedings.

(B)

The agency shall explain that if he does not believe he is the father, but agrees to the adoption, he may:

1. Sign a relinquishment document stating that, although he is relinquishing his parental rights, he does not believe that he is the father of the child.
2. File a petition with the court asking the court to determine that he is not the child's father.
3. Sign a waiver of right to notice of any adoption proceedings.

1.

Sign a relinquishment document stating that, although he is relinquishing his parental rights, he does not believe that he is the father of the child.

2.

File a petition with the court asking the court to determine that he is not the child's father.

3.

Sign a waiver of right to notice of any adoption proceedings.

(3)

Alternatives to adoptive placement of the child including, but not limited to:(A)

Services which would assist the birth parent in caring for the child, including:1.

Financial resources such as child support and Temporary Assistance to Needy Families

(TANF). 2. Employment resources such as vocational training and Employment

Development Department services. 3. Educational resources such as continuation

school and General Equivalency Diploma programs. 4. Child care resources, including

the availability of subsidized day care. 5. Housing resources such as shared housing

with relatives or nonrelatives and government subsidized housing. 6. Health service

resources such as well baby clinics, Child Health and Disability Prevention Programs

(CHDP), California Children's Services, and Medi-Cal. (B) Services, such as voluntary

foster care placement or temporary placement with extended family members, which would give the parent more time to determine the most appropriate plan for the child.

(A)

Services which would assist the birth parent in caring for the child, including: 1. Financial resources such as child support and Temporary Assistance to Needy Families (TANF). 2. Employment resources such as vocational training and Employment Development Department services. 3. Educational resources such as continuation school and General Equivalency Diploma programs. 4. Child care resources, including the availability of subsidized day care. 5. Housing resources such as shared housing with relatives or nonrelatives and government subsidized housing. 6. Health service resources such as well baby clinics, Child Health and Disability Prevention Programs (CHDP), California Children's Services, and Medi-Cal.

1.

Financial resources such as child support and Temporary Assistance to Needy Families (TANF).

2.

Employment resources such as vocational training and Employment Development Department services.

3.

Educational resources such as continuation school and General Equivalency Diploma programs.

4.

Child care resources, including the availability of subsidized day care.

5.

Housing resources such as shared housing with relatives or nonrelatives and government subsidized housing.

6.

Health service resources such as well baby clinics, Child Health and Disability Prevention Programs

(B)

Services, such as voluntary foster care placement or temporary placement with extended family members, which would give the parent more time to determine the most appropriate plan for the child.

(4)

Alternative forms of adoption, including a description of the full procedures and time frames involved in each type, which at a minimum shall include discussion of the following:

(A) Standard agency (relinquishment) adoption¹. The birth parent transfers his or her rights and responsibilities for the child to an adoption agency by signing a relinquishment of the child to the agency.

a. The birth parent's legal rights and responsibilities for the child end when the relinquishment is filed with the department.

(i) Filing includes the department's receipt and acknowledgement of a certified copy of the relinquishment form.

b. The relinquishment is submitted to the department on a date agreed to by the birth parent and the agency.

c. The birth parent may revoke the relinquishment before it is filed with the department.

d. The birth parent may not rescind the relinquishment after it is filed with the department unless the adoption agency agrees.

e. The birth parent's legal rights and responsibilities for the child ends when the birth parent signs the Waiver of Right to Revoke Relinquishment form (AD 929A) in front of a judicial officer or the department and shall become final and irrevocable at that time. If the waiver is signed in the presence of an authorized representative of a private licensed adoption agency, the relinquishment shall become final and irrevocable at the close of the next business day after the relinquishment was signed, or at the close of the next business day after expiration of any holding period specified in writing, whichever is later.

2. The prospective adoptive parents must be assessed and approved by the adoption agency

before the child is placed for adoption with the family. 3. The agency, not the birth parent, selects the adoptive parents, and the birth parent may or may not know the identity of the adoptive parents. (B) Designated agency (relinquishment) adoption¹. These adoptions are the same as standard agency adoptions except that: a. The birth parent participates in the selection of the adoptive parents, b. The birth parent knows the identity of the adopting parents, and c. The birth parent has a right to rescind his or her relinquishment and thus regain his or her parental rights and responsibilities if the child is not placed with the selected family or if the placement disrupts prior to completion of the adoption. (C) Independent adoption by relatives². The birth parent agrees to the prospective adopting parents' proposed adoption of the child by signing a consent to the adoption. a. The birth parent continues to be legally responsible for the child until the adoption is completed. b. The consent to the adoption becomes irrevocable on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire. (i) The first day of the 90-day period is the day the consent is signed. c. The birth parent may revoke the consent and, if he or she has legal custody, reclaim the child at any time before the consent becomes irrevocable. (i) When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption. d. The signing of a consent does not obligate the prospective adoptive parents to complete the adoption. 3. The prospective adoptive parents are evaluated as to their suitability to adopt either prior to the placement or after the child has begun living with them and they have filed a petition to adopt with the court. 4. The birth parent selects the adoptive parents. 5. The child begins living with the prospective adoptive parents before parental rights have been terminated. (D) Independent adoption by nonrelatives¹. Each placing birth parent is advised by an adoption service

provider before agreeing to the prospective adopting parents' proposed adoption of the child by signing a placement agreement, and any non-placing birth parents agree to the proposed adoption by signing a consent.

- a. The birth parent continues to be legally responsible for the child until the adoption is completed.
- b. A placement agreement becomes an irrevocable consent to the adoption on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire.
- (i) The first day of the 90-day period is the day the consent is signed.
- c. The non-placing parent's consent becomes irrevocable on the 91st day after it is signed unless he or she waives the right to revoke the consent before the 90 days expire. (i)

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

- d. The birth parent may revoke the placement agreement or consent and, if he or she has legal custody, reclaim the child at any time before the placement agreement or consent becomes an irrevocable consent.
- e. The signing of a placement agreement or consent does not obligate the prospective adoptive parents to complete the adoption.

2. The prospective adoptive parents are evaluated as to their suitability to adopt either prior to the placement or after the child has begun living with them and they have filed a petition to adopt with the court.

3. The birth parent selects the adoptive parents.

4. The child usually begins living with the prospective adoptive parents when a parent with legal custody has signed an adoptive placement agreement.

(A)

Standard agency (relinquishment) adoption

1. The birth parent transfers his or her rights and responsibilities for the child to an adoption agency by signing a relinquishment of the child to the agency.
- a. The birth parent's legal rights and responsibilities for the child end when the

relinquishment is filed with the department.(i) Filing includes the department's receipt and acknowledgement of a certified copy of the relinquishment form. b. The relinquishment is submitted to the department on a date agreed to by the birth parent and the agency. c. The birth parent may revoke the relinquishment before it is filed with the department. d. The birth parent may not rescind the relinquishment after it is filed with the department unless the adoption agency agrees. e. The birth parent's legal rights and responsibilities for the child ends when the birth parent signs the Waiver of Right to Revoke Relinquishment form (AD 929A) in front of a judicial officer or the department and shall become final and irrevocable at that time. If the waiver is signed in the presence of an authorized representative of a private licensed adoption agency, the relinquishment shall become final and irrevocable at the close of the next business day after the relinquishment was signed, or at the close of the next business day after expiration of any holding period specified in writing, whichever is later. 2. The prospective adoptive parents must be assessed and approved by the adoption agency before the child is placed for adoption with the family. 3. The agency, not the birth parent, selects the adoptive parents, and the birth parent may or may not know the identity of the adoptive parents.

1.

The birth parent transfers his or her rights and responsibilities for the child to an adoption agency by signing a relinquishment of the child to the agency. a. The birth parent's legal rights and responsibilities for the child end when the relinquishment is filed with the department.(i) Filing includes the department's receipt and acknowledgement of a certified copy of the relinquishment form. b. The relinquishment is submitted to the department on a date agreed to by the birth parent and the agency. c. The birth parent may revoke the relinquishment before it is filed with the department. d. The birth parent may not rescind the relinquishment after it is filed with the department unless the adoption agency agrees. e. The birth parent's legal rights and responsibilities for the child ends when the birth parent signs the Waiver of Right to Revoke

Relinquishment form (AD 929A) in front of a judicial officer or the department and shall become final and irrevocable at that time. If the waiver is signed in the presence of an authorized representative of a private licensed adoption agency, the relinquishment shall become final and irrevocable at the close of the next business day after the relinquishment was signed, or at the close of the next business day after expiration of any holding period specified in writing, whichever is later.

a.

The birth parent's legal rights and responsibilities for the child end when the relinquishment is filed with the department. (i) Filing includes the department's receipt and acknowledgement of a certified copy of the relinquishment form.

(i)

Filing includes the department's receipt and acknowledgement of a certified copy of the relinquishment form.

b.

The relinquishment is submitted to the department on a date agreed to by the birth parent and the agency.

c.

The birth parent may revoke the relinquishment before it is filed with the department.

d.

The birth parent may not rescind the relinquishment after it is filed with the department unless the adoption agency agrees.

e.

The birth parent's legal rights and responsibilities for the child ends when the birth parent signs the Waiver of Right to Revoke Relinquishment form (AD 929A) in front of a judicial officer or the department and shall become final and irrevocable at that time. If the waiver is signed in the presence of an authorized representative of a private licensed adoption agency, the relinquishment shall become final and irrevocable at the close of the next business day after the relinquishment was signed, or at the close of the next business day after expiration of any holding period specified in writing, whichever is later.

2.

The prospective adoptive parents must be assessed and approved by the adoption agency before the child is placed for adoption with the family.

3.

The agency, not the birth parent, selects the adoptive parents, and the birth parent may or may not know the identity of the adoptive parents.

(B)

Designated agency (relinquishment) adoption¹. These adoptions are the same as standard agency adoptions except that: a. The birth parent participates in the selection of the adoptive parents, b. The birth parent knows the identity of the adopting parents, and c. The birth parent has a right to rescind his or her relinquishment and thus regain his or her parental rights and responsibilities if the child is not placed with the selected family or if the placement disrupts prior to completion of the adoption.

1.

These adoptions are the same as standard agency adoptions except that: a. The birth parent participates in the selection of the adoptive parents, b. The birth parent knows the identity of the adopting parents, and c. The birth parent has a right to rescind his or her relinquishment and thus regain his or her parental rights and responsibilities if the child is not placed with the selected family or if the placement disrupts prior to completion of the adoption.

a.

The birth parent participates in the selection of the adoptive parents,

b.

The birth parent knows the identity of the adopting parents, and

c.

The birth parent has a right to rescind his or her relinquishment and thus regain his or her parental rights and responsibilities if the child is not placed with the selected family or if the placement disrupts prior to completion of the adoption.

(C)

Independent adoption by relatives 2. The birth parent agrees to the prospective adopting parents' proposed adoption of the child by signing a consent to the adoption. a. The birth parent continues to be legally responsible for the child until the adoption is completed. b. The consent to the adoption becomes irrevocable on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire. (i) The first day of the 90-day period is the day the consent is signed. c. The birth parent may revoke the consent and, if he or she has legal custody, reclaim the child at any time before the consent becomes irrevocable. (i) When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption. d. The signing of a consent does not obligate the prospective adoptive parents to complete the adoption. 3. The prospective adoptive parents are evaluated as to their suitability to adopt either prior to the placement or after the child has begun living with them and they have filed a petition to adopt with the court. 4. The birth parent selects the adoptive parents. 5. The child begins living with the prospective adoptive parents before parental rights have been terminated.

2.

The birth parent agrees to the prospective adopting parents' proposed adoption of the child by signing a consent to the adoption. a. The birth parent continues to be legally responsible for the child until the adoption is completed. b. The consent to the adoption becomes irrevocable on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire. (i) The first day of the 90-day period is the day the consent is signed. c. The birth parent may revoke the consent and, if he or she has legal custody, reclaim the child at any time before the consent becomes irrevocable. (i) When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption. d. The signing of a consent

does not obligate the prospective adoptive parents to complete the adoption.

a.

The birth parent continues to be legally responsible for the child until the adoption is completed.

b.

The consent to the adoption becomes irrevocable on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire. (i) The first day of the 90-day period is the day the consent is signed.

(i)

The first day of the 90-day period is the day the consent is signed.

c.

The birth parent may revoke the consent and, if he or she has legal custody, reclaim the child at any time before the consent becomes irrevocable. (i) When the consent becomes irrevocable, custody of the child may be regained by the birth parent only if the potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption.

(i)

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

d.

The signing of a consent does not obligate the prospective adoptive parents to complete the adoption.

3.

The prospective adoptive parents are evaluated as to their suitability to adopt either prior to the placement or after the child has begun living with them and they have filed a petition to adopt with the court.

4.

The birth parent selects the adoptive parents.

5.

The child begins living with the prospective adoptive parents before parental rights have been terminated.

(D)

Independent adoption by nonrelatives¹. Each placing birth parent is advised by an adoption service provider before agreeing to the prospective adopting parents' proposed adoption of the child by signing a placement agreement, and any non-placing birth parents agree to the proposed adoption by signing a consent.

a. The birth parent continues to be legally responsible for the child until the adoption is completed. b. A placement agreement becomes an irrevocable consent to the adoption on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire. (i) The first day of the 90-day period is the day the consent is signed. c. The non-placing parent's consent becomes irrevocable on the 91st day after it is signed unless he or she waives the right to revoke the consent before the 90 days expire. (i) When the placement agreement or consent becomes an irrevocable consent, custody of the child may be regained by the birth parent only if the potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption. d. The birth parent may revoke the placement agreement or consent and, if he or she has legal custody, reclaim the child at any time before the placement agreement or consent becomes an irrevocable consent. e. The signing of a placement agreement or consent does not obligate the prospective adoptive parents to complete the adoption. 2. The prospective adoptive parents are evaluated as to their suitability to adopt either prior to the placement or after the child has begun living with them and they have filed a petition to adopt with the court. 3. The birth parent selects the adoptive parents. 4. The child usually begins living with the prospective adoptive parents when a parent with legal custody has signed an adoptive placement agreement.

1.

Each placing birth parent is advised by an adoption service provider before agreeing to the

prospective adopting parents' proposed adoption of the child by signing a placement agreement, and any non-placing birth parents agree to the proposed adoption by signing a consent. a. The birth parent continues to be legally responsible for the child until the adoption is completed. b. A placement agreement becomes an irrevocable consent to the adoption on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire. (i) The first day of the 90-day period is the day the consent is signed. c. The non-placing parent's consent becomes irrevocable on the 91st day after it is signed unless he or she waives the right to revoke the consent before the 90 days expire. (i) When the placement agreement or consent becomes an irrevocable consent, custody of the child may be regained by the birth parent only if the potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption. d. The birth parent may revoke the placement agreement or consent and, if he or she has legal custody, reclaim the child at any time before the placement agreement or consent becomes an irrevocable consent. e. The signing of a placement agreement or consent does not obligate the prospective adoptive parents to complete the adoption.

a.

The birth parent continues to be legally responsible for the child until the adoption is completed.

b.

A placement agreement becomes an irrevocable consent to the adoption on the 91st day after it is signed unless the birth parent waives the right to revoke the consent before the 90 days expire. (i) The first day of the 90-day period is the day the consent is signed.

(i)

The first day of the 90-day period is the day the consent is signed.

c.

The non-placing parent's consent becomes irrevocable on the 91st day after it is signed unless he or she waives the right to revoke the consent before the 90 days expire. (i) When the placement agreement or consent becomes an irrevocable consent, custody of the child may be regained by the birth parent only if the

potential adoptive parents agree to withdraw their petition for adoption or the court denies the petition for adoption.

(i)

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

d.

The birth parent may revoke the placement agreement or consent and, if he or she has legal custody, reclaim the child at any time before the placement agreement or consent becomes an irrevocable consent.

e.

The signing of a placement agreement or consent does not obligate the prospective adoptive parents to complete the adoption.

2.

The prospective adoptive parents are evaluated as to their suitability to adopt either prior to the placement or after the child has begun living with them and they have filed a petition to adopt with the court.

3.

The birth parent selects the adoptive parents.

4.

The child usually begins living with the prospective adoptive parents when a parent with legal custody has signed an adoptive placement agreement.

(5)

The agency's adoption plan for the child, should the child be relinquished or become available for adoption due to the court's termination of the parents' rights. (A) The agency shall advise the parent regarding the extent to which the agency will allow his or her participation in the selection of the adoptive family.

(A)

The agency shall advise the parent regarding the extent to which the agency will allow his or her participation in the selection of the adoptive family.

(6)

The fact that the agency may petition the court for termination of the parent's parental rights if another parent has relinquished the child to the agency or has had his or her parental rights terminated by court action and that the parent has the right to seek legal counsel to contest and appeal any such action taken by the agency.

(7)

The rights and responsibilities of the parent as outlined on the Statement of Understanding.

(8)

A relinquishing parent who is a minor, has a right to relinquish their child for adoption to the department, county adoption agency, or licensed adoption agency. The agency shall inform the parent: (A) The relinquishment is not subject to revocation by the relinquishing parent by reason of minority. (B) The relinquishment is not subject to revocation because the relinquishing minor's parent or guardian was not served with notice of the adoption, unless the minor parent had previously provided written authorization to serve their parent or guardian with the notice. (C) The agency shall review each item on the Statement of Understanding with the birth parent to be certain that the birth parent understands the meaning of each item. (D) The agency shall answer any questions the birth parent has about the meaning of any item.

(A)

The relinquishment is not subject to revocation by the relinquishing parent by reason of minority.

(B)

The relinquishment is not subject to revocation because the relinquishing minor's parent or guardian was not served with notice of the adoption, unless the minor parent had previously provided written authorization to serve their parent or guardian with the notice.

(C)

The agency shall review each item on the Statement of Understanding with the birth parent to be certain that the birth parent understands the meaning of each item.

(D)

The agency shall answer any questions the birth parent has about the meaning of any item.

(c)

When advising an alleged natural father of a child who is not detained, a juvenile court dependent in out-of-home care, or the ward of a legal guardian, the agency shall inform the alleged natural father of: (1) The reason the agency considers him to be the alleged natural father and that he may: (A) File a petition with the court to establish paternity if he wishes to take parental responsibility for the child, (B) Deny paternity, (C) Waive his rights to further notice of the adoption proceedings, (D) Sign a relinquishment, or (E) Take no action. (2) His right to seek legal counsel to assist him in taking any of the actions described in Section 35129.1(c)(1). (A) Upon his request, the agency shall refer him to legal resources, including: 1. Attorney referral services, 2. Legal aid offices, or 3. Other known public legal assistance. (3) Alternatives to adoptive placement of the child, should he be successful in obtaining legal custody of the child, including, but not limited to: (A) Services which would assist him in caring for the child, including: 1. Financial resources such as child support and Temporary Assistance to Needy Families (TANF). 2. Employment resources such as vocational training and Employment Development Department services. 3. Educational resources such as continuation school and General Equivalency Diploma

programs. 4. Child care resources, including the availability of subsidized day care. 5. Housing resources such as shared housing with relatives or nonrelatives and government subsidized housing. 6. Health service resources such as well baby clinics, Child Health and Disability Prevention Programs (CHDP), California Children's Services, and Medi-Cal. (B) Services, such as voluntary foster care placement or temporary placement with extended family members, which would give the parent more time to determine the most appropriate plan for the child. (4) Alternative forms of adoption, including a description of the full procedures and time frames involved in each type, as described in Section 35129.1(b)(4). (5) The agency's adoption plan for the child. (A) The agency shall determine which of the actions in Section 35129.1(c)(1) the alleged natural father wishes to take. (B) Advise the alleged natural father regarding the extent to which the agency will allow him to participate in the selection of the adoptive family, should he decide to relinquish the child to the agency. (6) The fact that the agency may petition the court for termination of his parental rights if he seeks to establish paternity or if he takes no action and that he has the right to seek legal counsel to contest and appeal any such action taken by the agency. (7) The rights and responsibilities of the alleged natural father as outlined on the Statement of Understanding. (C) The agency shall review each item on the Statement of Understanding with the alleged natural father to be certain that he understands the meaning of each item. (D) The agency shall answer any questions the alleged natural father has about the meaning of any items.

(1)

The reason the agency considers him to be the alleged natural father and that he may:

(A) File a petition with the court to establish paternity if he wishes to take parental responsibility for the child, (B) Deny paternity, (C) Waive his rights to further notice

of the adoption proceedings, (D) Sign a relinquishment, or (E) Take no action.

(A)

File a petition with the court to establish paternity if he wishes to take parental responsibility for the child,

(B)

Deny paternity,

(C)

Waive his rights to further notice of the adoption proceedings,

(D)

Sign a relinquishment, or

(E)

Take no action.

(2)

His right to seek legal counsel to assist him in taking any of the actions described in Section 35129.1(c)(1). (A) Upon his request, the agency shall refer him to legal resources, including:1. Attorney referral services, 2. Legal aid offices, or 3. Other known public legal assistance.

(A)

Upon his request, the agency shall refer him to legal resources, including:1. Attorney referral services, 2. Legal aid offices, or 3. Other known public legal assistance.

1.

Attorney referral services,

2.

Legal aid offices, or

3.

Other known public legal assistance.

(3)

Alternatives to adoptive placement of the child, should he be successful in obtaining legal custody of the child, including, but not limited to: (A) Services which would assist him in caring for the child, including: 1. Financial resources such as child support and Temporary Assistance to Needy Families (TANF). 2. Employment resources such as vocational training and Employment Development Department services. 3. Educational resources such as continuation school and General Equivalency Diploma programs. 4. Child care resources, including the availability of subsidized day care. 5. Housing resources such as shared housing with relatives or nonrelatives and government subsidized housing. 6. Health service resources such as well baby clinics, Child Health and Disability Prevention Programs (CHDP), California Children's Services, and Medi-Cal. (B) Services, such as voluntary foster care placement or temporary placement with extended family members, which would give the parent more time to determine the most appropriate plan for the child.

(A)

Services which would assist him in caring for the child, including: 1. Financial resources such as child support and Temporary Assistance to Needy Families (TANF). 2. Employment resources such as vocational training and Employment Development Department services. 3. Educational resources such as continuation school and General Equivalency Diploma programs. 4. Child care resources, including the availability of subsidized day care. 5. Housing resources such as shared housing with relatives or nonrelatives and government subsidized housing. 6. Health service resources such as well baby clinics, Child Health and Disability Prevention Programs (CHDP), California Children's Services, and Medi-Cal.

1.

Financial resources such as child support and Temporary Assistance to Needy Families (TANF).

2.

Employment resources such as vocational training and Employment Development Department services.

3.

Educational resources such as continuation school and General Equivalency Diploma programs.

4.

Child care resources, including the availability of subsidized day care.

5.

Housing resources such as shared housing with relatives or nonrelatives and government subsidized housing.

6.

Health service resources such as well baby clinics, Child Health and Disability Prevention Programs (CHDP), California Children's Services, and Medi-Cal.

(B)

Services, such as voluntary foster care placement or temporary placement with extended family members, which would give the parent more time to determine the most appropriate plan for the child.

(4)

Alternative forms of adoption, including a description of the full procedures and time frames involved in each type, as described in Section 35129.1(b)(4).

(5)

The agency's adoption plan for the child. (A) The agency shall determine which of the actions in Section 35129.1(c)(1) the alleged natural father wishes to take. (B) Advise the alleged natural father regarding the extent to which the agency will allow him to participate in the selection of the adoptive family, should he decide to relinquish the child to the agency.

(A)

The agency shall determine which of the actions in Section 35129.1(c)(1) the alleged natural father wishes to take.

(B)

Advise the alleged natural father regarding the extent to which the agency will allow him to participate in the selection of the adoptive family, should he decide to relinquish the child to the agency.

(6)

The fact that the agency may petition the court for termination of his parental rights if he seeks to establish paternity or if he takes no action and that he has the right to seek legal counsel to contest and appeal any such action taken by the agency.

(7)

The rights and responsibilities of the alleged natural father as outlined on the Statement of Understanding. (C) The agency shall review each item on the Statement of Understanding with the alleged natural father to be certain that he understands the meaning of each item. (D) The agency shall answer any questions the alleged natural father has about the meaning of any items.

(C)

The agency shall review each item on the Statement of Understanding with the alleged natural father to be certain that he understands the meaning of each item.

(D)

The agency shall answer any questions the alleged natural father has about the meaning of any items.