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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

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Article 5@ Accepting the Relinquishment

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Section 35141@ Filing Options for the Relinquishing Parent

## 35141 Filing Options for the Relinquishing Parent

(a) The agency representative shall inform all parents: (1) Of the time frame options for the filing of the signed relinquishment form with the department. (A) The parent shall be permitted to request that the signed relinquishment form be filed without a holding period. (B) The parent shall be permitted to have the signed relinquishment form held for a specified period of up to 30 days before the agency submits it to the department for filing. (2) That the signed relinquishment form will be held more than 30 days if questions about the right of any other parent to the legal custody of the child have not been resolved. (A) The parent and the agency shall mutually agree in writing to the extended period. 1. The written agreement shall specify the time period the relinquishment form will be held and the reason for holding the form more than 30 days. 2. If the specific number of days cannot be stated in advance, the extended period shall end with the resolution of all other parents' rights to the legal custody of the child as follows: (i) The agency shall inform the relinquishing parent in writing within three working days of the agency's knowledge of the resolution of the custody issues. (ii) The extended period shall end five working days after the date of the notice to the relinquishing parent. 3. The written agreement to extend the holding period to more than 30 days shall be signed by the parent and the agency's representative. (3) That the parent is permitted to revoke his or her relinquishment at any time

prior to the expiration of any holding period and at any time before the relinquishment form is filed by the department. (A) If the last day of any such holding period falls on a weekend or legal holiday, the agency shall permit the parent to revoke the relinquishment on the next working day following the weekend or holiday. (4) That the agency shall not place the child for adoption prior to the relinquishment form being filed by the department.

**(1)**

Of the time frame options for the filing of the signed relinquishment form with the department. (A) The parent shall be permitted to request that the signed relinquishment form be filed without a holding period. (B) The parent shall be permitted to have the signed relinquishment form held for a specified period of up to 30 days before the agency submits it to the department for filing.

**(A)**

The parent shall be permitted to request that the signed relinquishment form be filed without a holding period.

**(B)**

The parent shall be permitted to have the signed relinquishment form held for a specified period of up to 30 days before the agency submits it to the department for filing.

**(2)**

That the signed relinquishment form will be held more than 30 days if questions about the right of any other parent to the legal custody of the child have not been resolved. (A) The parent and the agency shall mutually agree in writing to the extended period. 1. The written agreement shall specify the time period the relinquishment form will be held and the reason for holding the form more than 30 days. 2. If the specific number of days cannot be stated in advance, the extended period shall end with the resolution of all other parents' rights to the legal custody of the child as

follows:(i) The agency shall inform the relinquishing parent in writing within three working days of the agency's knowledge of the resolution of the custody issues. (ii) The extended period shall end five working days after the date of the notice to the relinquishing parent. 3. The written agreement to extend the holding period to more than 30 days shall be signed by the parent and the agency's representative.

**(A)**

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**2.**

If the specific number of days cannot be stated in advance, the extended period shall end with the resolution of all other parents' rights to the legal custody of the child as follows:(i) The agency shall inform the relinquishing parent in writing within three working days of the agency's knowledge of the resolution of the custody issues. (ii) The extended period shall end five working days after the date of the notice to the relinquishing parent.

**(i)**

The agency shall inform the relinquishing parent in writing within three working days of the agency's knowledge of the resolution of the custody issues.

**(ii)**

The extended period shall end five working days after the date of the notice to the relinquishing parent.

**3.**

The written agreement to extend the holding period to more than 30 days shall be signed by the parent and the agency's representative.

**(3)**

That the parent is permitted to revoke his or her relinquishment at any time prior to the expiration of any holding period and at any time before the relinquishment form is filed by the department.(A) If the last day of any such holding period falls on a weekend or legal holiday, the agency shall permit the parent to revoke the relinquishment on the next working day following the weekend or holiday.

**(A)**

If the last day of any such holding period falls on a weekend or legal holiday, the agency shall permit the parent to revoke the relinquishment on the next working day following the weekend or holiday.

**(4)**

That the agency shall not place the child for adoption prior to the relinquishment form being filed by the department.