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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 6@ Accepting the Statement of Understanding

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Section 35151@ Accepting the Statement of Understanding

## 35151 Accepting the Statement of Understanding

The agency shall accept the parent's Statement of Understanding as follows: (1)

For parents of children who come within the provisions of the ICWA, additional requirements shall be followed in accordance with Subchapter 8, Articles 4 and 5.

(2) The agency shall obtain the parent's signature on the Statement of

Understanding after he or she has: (A) Indicated his or her understanding of the relinquishment process by reading and initialing each explanatory statement on the Statement of Understanding form. (B) Indicated his or her preference regarding options for the filing of the relinquishment form. (3) The Statement of

Understanding shall be signed: (A) In the presence of the agency representative and two witness if signed in California. 1. The witnesses shall be at least 18 years of age. (B) Pursuant to Family Code section 8700(c) and (d) if the parent is not physically present in California. 1. If the parent and child are not physically present in California, the relinquishment shall be signed in the presence of a representative of an agency licensed or approved to provide adoption services under the laws of the relinquishing parent's state of residence, if possible, or before a licensed social worker on a form prescribed by the department and previously signed by an authorized official of the agency. 2. If the child is in California but the parent is not physically present in California the relinquishment may be signed before a notary on a form prescribed by the department, and

previously signed by an authorized official by the agency. 3. The use of a reader or translator by the out-of-state agency should be verified by the out-of-state agency. (C) Pursuant to the provisions of Civil Code Section 1183, if signed outside of the United States, (4) The agency shall give the parent the option of waiting a maximum of 14 calendar days before signing the relinquishment document. (A) The agency shall complete a new Statement of Understanding if the maximum of 14 calendar days has elapsed and the parent desires to sign the relinquishment document. (5) After the agency representative signs the Statement of Understanding, the representative shall give the parent a copy of the signed form.

**(1)**

For parents of children who come within the provisions of the ICWA, additional requirements shall be followed in accordance with Subchapter 8, Articles 4 and 5.

**(2)**

The agency shall obtain the parent's signature on the Statement of Understanding after he or she has: (A) Indicated his or her understanding of the relinquishment process by reading and initialing each explanatory statement on the Statement of Understanding form. (B) Indicated his or her preference regarding options for the filing of the relinquishment form.

**(A)**

Indicated his or her understanding of the relinquishment process by reading and initialing each explanatory statement on the Statement of Understanding form.

**(B)**

Indicated his or her preference regarding options for the filing of the relinquishment form.

**(3)**

The Statement of Understanding shall be signed: (A) In the presence of the agency representative and two witnesses if signed in California. 1. The witnesses shall be at

least 18 years of age. (B) Pursuant to Family Code section 8700(c) and (d) if the parent is not physically present in California. 1. If the parent and child are not physically present in California, the relinquishment shall be signed in the presence of a representative of an agency licensed or approved to provide adoption services under the laws of the relinquishing parent's state of residence, if possible, or before a licensed social worker on a form prescribed by the department and previously signed by an authorized official of the agency. 2. If the child is in California but the parent is not physically present in California the relinquishment may be signed before a notary on a form prescribed by the department, and previously signed by an authorized official by the agency. 3. The use of a reader or translator by the out-of-state agency should be verified by the out-of-state agency. (C) Pursuant to the provisions of Civil Code Section 1183, if signed outside of the United States,

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**2.**

If the child is in California but the parent is not physically present in California the relinquishment may be signed before a notary on a form prescribed by the department, and previously signed by an authorized official by the agency.

**3.**

The use of a reader or translator by the out-of-state agency should be verified by the out-of-state agency.

**(C)**

Pursuant to the provisions of Civil Code Section 1183, if signed outside of the United States,

**(4)**

The agency shall give the parent the option of waiting a maximum of 14 calendar days before signing the relinquishment document. (A) The agency shall complete a new Statement of Understanding if the maximum of 14 calendar days has elapsed and the parent desires to sign the relinquishment document.

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**(5)**

After the agency representative signs the Statement of Understanding, the representative shall give the parent a copy of the signed form.