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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 8@ Filing of Relinquishment

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Section 35165@ Filing Documents with the Department

35165 Filing Documents with the Department

The agency shall file with the department all the documents which pertain to freeing a child for adoptive placement and adoption and the supporting information required for the issuance of the AD 4333. (A) Filing includes the department's receipt and acknowledgment of a certified copy of the relinquishment form.

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(b)

The agency, after retaining the relinquishment document for any specified holding period, shall file it with the department as follows: (1) Within 10 working days after the expiration of the specified holding period, or (2) Within 10 working days after the day the relinquishment document is signed but no sooner than the close of the next working day following the signing, if the parent requests immediate filing.

(1)

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(2)

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sooner than the close of the next working day following the signing, if the parent requests immediate filing.

(c)

The agency shall submit a written statement with the relinquishment document that the parent did not request the return of a child who is neither detained nor a juvenile court dependent in out-of-home care during any specified holding period.

(d)

The agency shall certify in writing that the relinquishment document and the statement of understanding that are filed with the department are true and correct copies of the original documents contained in the files of the agency.

(e)

The agency shall file with the department the following supporting information which pertains to freeing a child for adoptive placement and finalization of the adoption: (1) Form AD 90. (2) Form AD 551A. (3) Copies of court orders terminating parental rights, as appropriate. (4) Copies of notices sent to alleged fathers under Family Code Sections 7662, 7664, 7666, and under Welfare and Institutions Code Section 316.2 and proof of service, as appropriate. (5) Certified copies of the relinquishment document, as appropriate. (6) Copy of signed Statement of Understanding attached to each certified copy of the relinquishment document. (7) Copy of any psychiatric/psychological evaluation and statement of the conservator, as appropriate. (8) Copies of Judicial Council 'Paternity-Waiver of Rights' (JV-505) and other copies of waiver of further notice to the adoption proceedings, as appropriate. (9) Copies of denials of paternity, as appropriate. (10) Copies of documents pertaining to a child who is freed for adoptive placement and finalization of adoption in another state, as appropriate.

(1)

Form AD 90.

(2)

Form AD 551A.

(3)

Copies of court orders terminating parental rights, as appropriate.

(4)

Copies of notices sent to alleged fathers under Family Code Sections 7662, 7664, 7666, and under Welfare and Institutions Code Section 316.2 and proof of service, as appropriate.

(5)

Certified copies of the relinquishment document, as appropriate.

(6)

Copy of signed Statement of Understanding attached to each certified copy of the relinquishment document.

(7)

Copy of any psychiatric/psychological evaluation and statement of the conservator, as appropriate.

(8)

Copies of Judicial Council 'Paternity-Waiver of Rights' (JV-505) and other copies of waiver of further notice to the adoption proceedings, as appropriate.

(9)

Copies of denials of paternity, as appropriate.

(10)

Copies of documents pertaining to a child who is freed for adoptive placement and finalization of adoption in another state, as appropriate.

(f)

The agency shall send the relinquishing parent a copy of the filed relinquishment document.

(g)

The agency shall file with the department the ICPC 100B when the adoption will be completed in another state. (1) If the adoption did not meet the requirements of the Interstate Compact on the Placement of Children as set forth in Sections 35401, 35405, and 35407, the agency shall notify the department in writing of the completion of the out-of-state adoption.

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