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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 12@ Adoptive Placement

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Section 35197@ Placement Requirements

35197 Placement Requirements

(Reserved)

(b)

Except as provided in Section 35199(b), an agency shall place a child for adoption only when the requirements of Section 35128 have been met.

(c)

In selecting prospective adoptive parents for a child, the agency shall:(1) Consider the expressed wishes of the relinquishing parent. (2) Follow the placement requirements of Family Code Sections 8708, 8709, 8710, and 8711. (3) Select from identified prospective adoptive parents with approved assessments satisfying the criteria set forth in Sections 35180 and 35181 or 35183 and conducted by the agency, or other California licensed public or private adoption agencies, or licensed adoption agencies out of the state.

(1)

Consider the expressed wishes of the relinquishing parent.

(2)

Follow the placement requirements of Family Code Sections 8708, 8709, 8710, and 8711.

(3)

Select from identified prospective adoptive parents with approved assessments

satisfying the criteria set forth in Sections 35180 and 35181 or 35183 and conducted by the agency, or other California licensed public or private adoption agencies, or licensed adoption agencies out of the state.

(d)

The agency shall make available counseling, information, and educational services to prospective adoptive parents whose racial, ethnic, or cultural background is different from the child's in an effort to assist the family to meet the child's needs and to be sensitive about others' perceptions of the child.

(e)

In a cooperative placement (where one agency has custody of the child and another agency completed and approved the assessment of the prospective adoptive parents), both agencies shall share responsibility for meeting all the requirements for the completion of the adoption.(1) The agency that has custody of the child shall be responsible for meeting the requirements of the following sections: (A) 35127.1 Content of Written Assessment of the Child, and 35127.2 Documents, Reports and Authorizations Required for Assessment of the Child, and 35127.3 Services for Children Accepted for Adoption Planning; (B) 35195 Child's Medical and Psychosocial Background Information to be Provided to the Prospective Adoptive Parents; (C) 35201 Adoptive Placement Agreement; (D) 35205 Providing Services to Prospective Adoptive Parents Who Move after the Adoptive Placement; (E) 35207 Termination of an Adoptive Placement; (F) 35325 through 35351 Adoption Assistance Program 1. 35325(e)(3)(C)1. and (D)2. Adoption Assistance Program Payment Amount and Agreement (only completed by licensed public adoption agencies). (2) The agency that approved the assessment of the prospective adoptive parents shall be responsible for meeting the requirements of the following sections: (A) 35177 Written Application to

Adopt, Agency Actions, and Authority for Disapproval; (B) 35179 Information to be Provided to an Applicant; (C) 35180 Written Assessment of the Adoptive Applicant and Documentation and 35181 Full Assessment of the Adoptive Applicant, or 35183 Abbreviated Assessment of the Adoptive Applicant; 35184 Criminal Background Check of Applicants; (D) 35197(c) Services Regarding Ethnic and Cultural Differences; (E) 35203 Supervision of the Adoptive Placement; (F) 35207 Termination of the Adoptive Placement; (G) 35211 Completing the Court Report; (H) 35213 Immediate Filing of the Court Report; (3) The agencies may modify the division of responsibilities set forth in Sections 35197(e)(1) and (2) by a mutual written agreement. (4) The agency that has responsibility for the custody of the child shall be responsible for meeting the requirements of Section 35197(b) regarding the selection of prospective adoptive parents.

(1)

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(A)

35127.1 Content of Written Assessment of the Child, and 35127.2 Documents, Reports and

Authorizations Required for Assessment of the Child, and 35127.3 Services for Children

Accepted for Adoption Planning;

(B)

35195 Child's Medical and Psychosocial Background Information to be Provided to the Prospective Adoptive Parents;

(C)

35201 Adoptive Placement Agreement;

(D)

35205 Providing Services to Prospective Adoptive Parents Who Move after the Adoptive Placement;

(E)

35207 Termination of an Adoptive Placement;

(F)

35325 through 35351 Adoption Assistance Program 1. 35325(e)(3)(C)1. and (D)2. Adoption Assistance Program Payment Amount and Agreement (only completed by licensed public adoption agencies).

1.

35325(e)(3)(C)1. and (D)2. Adoption Assistance Program Payment Amount and Agreement (only completed by licensed public adoption agencies).

(2)

The agency that approved the assessment of the prospective adoptive parents shall be responsible for meeting the requirements of the following sections: (A) 35177 Written Application to Adopt, Agency Actions, and Authority for Disapproval; (B) 35179 Information to be Provided to an Applicant; (C) 35180 Written Assessment of the Adoptive Applicant and Documentation and 35181 Full Assessment of the Adoptive Applicant, or 35183 Abbreviated Assessment of the Adoptive Applicant; 35184 Criminal

Background Check of Applicants; (D) 35197(c) Services Regarding Ethnic and Cultural Differences; (E) 35203 Supervision of the Adoptive Placement; (F) 35207 Termination of the Adoptive Placement; (G) 35211 Completing the Court Report; (H) 35213 Immediate Filing of the Court Report;

(A)

35177 Written Application to Adopt, Agency Actions, and Authority for Disapproval;

(B)

35179 Information to be Provided to an Applicant;

(C)

35180 Written Assessment of the Adoptive Applicant and Documentation and 35181 Full Assessment of the Adoptive Applicant, or 35183 Abbreviated Assessment of the Adoptive Applicant; 35184 Criminal Background Check of Applicants;

(D)

35197(c) Services Regarding Ethnic and Cultural Differences;

(E)

35203 Supervision of the Adoptive Placement;

(F)

35207 Termination of the Adoptive Placement;

(G)

35211 Completing the Court Report;

(H)

35213 Immediate Filing of the Court Report;

(3)

The agencies may modify the division of responsibilities set forth in Sections 35197(e)(1) and (2) by a mutual written agreement.

(4)

The agency that has responsibility for the custody of the child shall be responsible for meeting the requirements of Section 35197(b) regarding the selection of prospective adoptive parents.

(f)

The agency that has custody of the child shall file with the department the following documents which pertain to the placement of the child for adoption or the termination of an adoptive placement: (1) The AD 558. (A) The agency shall file the AD 558 with the department within 15 days of the signing of the adoptive placement agreement. (2) The AD 580. (A) The agency shall file the AD 580 with the department within 15 days of the removal of the child from an adoptive home.

(1)

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(A)

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(2)

The AD 580. (A) The agency shall file the AD 580 with the department within 15 days of the removal of the child from an adoptive home.

(A)

The agency shall file the AD 580 with the department within 15 days of the removal of the child from an adoptive home.

(g)

The agency that has the responsibility to complete the court report shall also be responsible for meeting the requirements set forth in Section 35213 when the recommendation is to deny the adoption petition or when the prospective

adoptive parents desire to withdraw the adoption petition.