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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 13@ Completing the Adoption

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Section 35213@ Immediate Filing of the Court Report

35213 Immediate Filing of the Court Report

(a) After the prospective adoptive parents have filed the petition to adopt the child, the agency shall immediately file the court report when any of the following conditions exist: (1) There is a serious question concerning the suitability of the prospective adoptive parents. (2) There is a serious question concerning the care provided to the child. (A) If the agency knows or reasonably suspects the prospective adoptive parents have endangered the physical or mental health of a child by abuse or neglect, the agency shall immediately contact the appropriate child protective agency and file the mandatory "Suspected Child Abuse Report" (Form SS 8572 Revised 1/93) pursuant to Penal Code Section 11166(a). (3) The prospective adoptive parents have indicated a desire to withdraw the adoption petition. (4) A petition for the adoption of a child for whom the agency has care, custody, and control pursuant to Family Code Section 8704(a) is filed by persons with whom the agency has not signed an adoptive placement agreement.

(1)

There is a serious question concerning the suitability of the prospective adoptive parents.

(2)

There is a serious question concerning the care provided to the child. (A) If the agency knows or reasonably suspects the prospective adoptive parents have endangered the

physical or mental health of a child by abuse or neglect, the agency shall immediately contact the appropriate child protective agency and file the mandatory "Suspected Child Abuse Report" (Form SS 8572 Revised 1/93) pursuant to Penal Code Section 11166(a).

(A)

If the agency knows or reasonably suspects the prospective adoptive parents have endangered the physical or mental health of a child by abuse or neglect, the agency shall immediately contact the appropriate child protective agency and file the mandatory "Suspected Child Abuse Report" (Form SS 8572 Revised 1/93) pursuant to Penal Code Section 11166(a).

(3)

The prospective adoptive parents have indicated a desire to withdraw the adoption petition.

(4)

A petition for the adoption of a child for whom the agency has care, custody, and control pursuant to Family Code Section 8704(a) is filed by persons with whom the agency has not signed an adoptive placement agreement.

(b)

The agency shall include in the court report, as appropriate, the following: (1) The basis for its concerns regarding the suitability of the prospective adoptive parents or the care provided the child. (2) A request to the court for direction regarding the situation giving rise to the agency's concern. (3) A recommendation that the adoption petition be denied. (4) A recommendation that the adoption petition be withdrawn according to the prospective adoptive parent's wishes. (5) A request that the adoption petition be dismissed if it was filed by persons with whom the agency has not signed an adoptive placement agreement.

(1)

The basis for its concerns regarding the suitability of the prospective adoptive parents or the care provided the child.

(2)

A request to the court for direction regarding the situation giving rise to the agency's concern.

(3)

A recommendation that the adoption petition be denied.

(4)

A recommendation that the adoption petition be withdrawn according to the prospective adoptive parent's wishes.

(5)

A request that the adoption petition be dismissed if it was filed by persons with whom the agency has not signed an adoptive placement agreement.

(c)

If the agency recommends that the adoption petition be denied or withdrawn, it shall appear at the hearing to represent the child.