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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 6@ Procedures for Intercountry Adoptions

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Article 3@ Assessment of the Applicant

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Section 35270@ Criminal Background Checks

35270 Criminal Background Checks

(a) A licensed adoption agency shall complete a criminal background check of all applicants and any other adults residing in the home to obtain the full state criminal record from the Department of Justice (DOJ) and FBI pursuant to Family Code section 8908.

(b)

If the applicant or any other person in the household has resided outside of California within the preceding five years, the licensed adoption agency must perform additional child abuse registry checks.

(c)

The Agency shall submit one set of fingerprints (electronically or manually) for each applicant to the DOJ.¹ The agency shall clearly indicate "Adoption" on the request to inform the DOJ of the purpose of the criminal record clearance.

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The agency shall clearly indicate "Adoption" on the request to inform the DOJ of the purpose of the criminal record clearance.

(d)

The agency shall contract with the DOJ for the Subsequent Arrest Notification Service in order to receive arrest information subsequent to the original DOJ criminal record sent to the agency and pending the court order granting the

completion of the adoption.

(e)

Pursuant to Penal Code section 11105.2 the agency shall notify the DOJ when the adoption has been finalized, denied, or dismissed to discontinue receiving subsequent arrest information on an applicant previously fingerprinted for adoption purposes unless the applicant is being assessed or investigated by the agency for another adoption.

(f)

In the event of subsequent adoptions, the agency shall require new sets of fingerprints and shall make new requests for state criminal records to the DOJ unless the Subsequent Arrest Notification Services is still in effect.