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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 8@ Adoption of Children with Indian Heritage

## **35371 Provisions for Setting Aside the Adoption and**

Article 4@ Information to Parents of a Child with Indian Heritage Regarding Provisions of the ICWA

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Section 35371@ Provisions for Setting Aside the Adoption and Withdrawing Consent

### **(a)**

The agency shall inform the parents of a child subject to the provisions of the ICWA that within five years of the time a decree of adoption is granted, the parent may petition the court to set aside a decree of adoption upon the grounds that the consent or relinquishment was obtained through fraud or duress pursuant to USC 1913(d) and Family Code Section 9102.