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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

35379 Information to Applicant Prior to Placement of an

Article 6@ Information Transmitted to Applicants in Agency Adoptions

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Section 35379@ Information to Applicant Prior to Placement of an Indian Child for Adoption

(a)

Prior to the placement of an Indian child for adoption, the agency shall inform the applicant of the birth parents' right to: (1) Rescind the relinquishment and have the child returned at any time prior to the entry of a final decree of adoption by the court. (2) Petition the court within five years of the granting of the final decree of adoption to set aside a decree of adoption upon the grounds that the relinquishment was obtained through fraud or duress. (3) Petition the court to invalidate any action terminating parental rights if termination procedures did not comply with the ICWA.

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(2)

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(3)

Petition the court to invalidate any action terminating parental rights if termination procedures did not comply with the ICWA.