

California Code Of Regulations

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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

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Article 8@ Information Transmitted to Petitioners in an Independent Adoption

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35383 Applicability of ICWA to Non-Indian Parents, Withdrawal of Consent and Termination of Parental Rights in an Independent Adoption

Section 35383@ Applicability of ICWA to Non-Indian Parents, Withdrawal of Consent and Termination of Parental Rights in an Independent Adoption

(a)

During the investigation of the adoption petition, the agency shall advise the petitioners that: (1) The provisions of the ICWA apply to the non-Indian parent of an Indian child as well as to the Indian parent. (2) The birth parent may withdraw his or her consent and has the right to have the child returned to him or her at any time prior to the issuance of a final decree of adoption. (3) The procedures pursuant to Section 35377 will be followed if it is necessary to terminate parental rights involuntarily.

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The birth parent may withdraw his or her consent and has the right to have the child returned to him or her at any time prior to the issuance of a final decree of adoption.

(3)

The procedures pursuant to Section 35377 will be followed if it is necessary to terminate parental rights involuntarily.