 Department of <b>Children &amp;          Family Services</b> <i>Building a Stronger Louisiana</i>	<b>Division/Section</b>	Child Welfare
	<b>Chapter No./Name</b>	8 – Adoption (AD)
	<b>Part No./Name</b>	4 – Adoptive Placement Process
	<b>Section No./Name</b>	Adoptive Placement Process
	<b>Document No./Name</b>	8-400 Overview of Adoptive Placement Process
	<b>Effective Date</b>	December 15, 2020

## I. STATEMENT OF POLICY

Adoptive placement shall occur in as timely a manner as possible after a child becomes legally available for adoption. The agency is the sole legal custodian of the child, and permanent adoptive placement is the primary goal of the agency services for children in this legal status.

All children in agency custody who are legally available for adoption shall receive services designed to achieve placement in a permanent family regardless of race, creed, color, age, developmental disability, sexual orientation, gender identity expression, institutional placement, or membership in a sibling group. Every child who is eligible for adoption shall be reviewed for an adoption subsidy. Adoption subsidy information shall be given in writing to prospective adoptive parents. (See Chapter 8 Part 7. for subsidy information).

## II. PROCEDURES


Federal constitutional law and the federal Title VI 'strict scrutiny' standard coupled with Interethnic Adoption provisions prohibit decision making on the basis of race, color or ethnicity except where such consideration would be necessary to achieve a compelling governmental interest, i.e., protecting the best interests of the child.

In such instances, Adoption Specialist staff will need to insure that consideration is narrowly tailored to advance the child's interests and document such consideration on an individualized basis for each child. The following questions should guide the Adoption Specialist staff and should be documented in **\* Family Assessment Tracking System (FATS):**

What are the child's special or distinctive needs based on race, color, or national origin?  
 Why is it in the child's best interests to take these needs into account?

- Can the child's needs related to race, color, or national origin be taken into account without delaying placement and placing the child at risk of other harms?
- Can these needs be met by an adoptive parent who does not share the child's racial or ethnic background?
- Can these needs be met only by a same race/ethnic placement? If so, is some delay justified in order to search for a parent of the same race or ethnicity, if an appropriate person is not available in the agency's current files?
- What are the child's other important needs?

If the worker determines that the child requires a home of the same race, the child's case should be staffed with the Child Welfare Manager as quickly as is reasonable and the decision concerning limiting the child's placements to same race families should be documented in **FATS. \*\***

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Every effort shall be made to place siblings available for adoption together unless contraindicated by:

- An assessment of the nature of the specific sibling relationship;
- The likelihood that placement would be unduly delayed by waiting for a family who will accept all of the children in a sibling group; (Refer to [8-225 B.](#), concerning sibling placement time lines.)
- The existence of significant affectional attachments between a child and his foster parents. Foster/adoptive parents may wish to adopt only the member(s) of a sibling group placed in their home. The agency may agree to this when an assessment indicates that the child's psychological bond to the foster/adoptive parent is so strong that it is more important to the child than the sibling relationship(s). In this situation, an assessment must be made of the foster/adoptive parent's willingness to maintain sibling contact after finalization of the adoption. This assessment shall be made by the Foster Care Worker or the Adoption Specialist depending on case assignment.

The rationale for not placing siblings together and the approval of the Regional Administrator or his/her designee shall be documented in the case record.

Any agreements reached regarding future contact among siblings not placed together shall be placed in writing as a Provisional Agreement or recommended to the court as part of a Continuing Contact Agreement. Refer to Section [8-430](#) for instructions on completing a Provisional Agreement and for instructions relative to recommending judicial approval of a Continuing Contact Agreement.

Assessment and preparation of children for adoptive placement is primarily the function of the Adoption Specialist, except when a foster parent adoption has been specifically assigned to the child's Foster Care Worker. Foster Care staff shall provide information and assistance as needed.

### **III. FORMS AND INSTRUCTIONS**

There are no forms associated with this policy.

### **IV. REFERENCES**

There are no references associated with this policy.