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## I. STATEMENT OF POLICY

All adoptive placements, including those made with a family that is new to the child, shall be made only after the determination that the child is or is not eligible for a subsidy and upon the receipt of the provisional approval by the Child Welfare Manager or designee. Adoptive parents approved for a subsidy are to be given a copy of the completed, signed [CW Form SA II Part 1](#). Provisional Approval, at the time of placement and advised that it is a provisional subsidy approval with the final determination to be made the month the adoption petition is filed.

The date of placement (or signing of the [CW Form 427-B](#) if the adoptive child is being adopted by their foster family) shall be designated in advance, so that all parties have the opportunity to prepare for this event. Both foster parents and adoptive parents should be encouraged to celebrate or mark this occasion in their own unique way.

## II. PROCEDURES


### A. REQUIREMENTS FOR ALL PLACEMENTS

The child and the Adoption Specialist/Foster Care worker shall be present during the placement process.

The Adoption Specialist shall compose a written statement (Child Presentation Package) for the adoptive parents, which includes information concerning:

- The child's health history, current treatment, and names and addresses of health care providers;;
- Information on the child/youth sexual orientation and/or gender identity expression as documented in the case record.
- The name of the child's present school, grade placement, and past and present scholastic performance;
- The child's developmental history including any special needs;
- The child's birth family's non-identifying information, including known information about parental ages, medical/genetic histories, physical appearances, races and nationalities, religious affiliations, educational achievements, occupations, talents, and abilities. Social background information which was not included in the child's Life book may be included in information given to adoptive parents.

This written document shall be given to the adoptive parent(s) when [CW Form 427-B](#) is signed on the date of placement. \* **Once a child is placed in a certified adoptive placement the 427-B**

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**should be signed within 30 days. \*\*** A copy of the Child Presentation Packet and child's Life book shall be placed in the child's case record. The original of the DCFS CW Life book should be given to the child or adoptive parents in the case of young children.

When the adoption petition is filed, the [CW Form SA II Part 2](#). Final Determination, shall be completed, and final subsidy approval granted if no change in eligibility status has occurred. The child's IV-E eligibility shall be confirmed with a copy of the current TIPS 104 screen filed in the subsidy record. The effective date of subsidy entered on the CW Form SA II Part 2. shall be the first day of the month following the month in which the adoption petition was filed. (Adoptive parents denied final subsidy approval due to a change in eligibility status, shall be apprised of their right to appeal; See CW [Form SA II](#) and [SA II Instructions](#)).


Coverage of the child's educational, incidental, mileage, recreational, and replacement clothing expenses will remain in place during the interim between adoptive placement ([CW Form 427-B](#) and [SA II Part 1](#). signing) and the filing of adoption petition and initiation of the subsidy assistance (CW SA II Part 2 signing).

If they have insurance, the adoptive family's medical health insurance shall be accessed for the child's needs beginning immediately the date of child coverage eligibility. The availability of this third party resource (medical insurance) and the identity of the insurance carrier shall be reported to the Eligibility Specialist on a [CW Form FAST III](#). In those instances where the adoptive parents refuse or are unable to add the child to their private insurance, no third party information should be reported. (Refer to Chapter 8 Part 7. for additional Adoption Subsidy policy, if needed).

On the day of placement and/or signing of the CW Form 427-B, the child shall be opened in the TIPS Adoption Placement (AD/APL) subprogram using procedures given in section [8-431](#). These procedures allow for continuing payments to the adoptive parent at the full board rate and tracking of federally required adoption placement data through the period in which the adoption petition is filed.

Exceptions for delaying the CW Form 427-B signing beyond the placement date shall be made only after approval by the Child Welfare Manager based on documentation that the delay is clearly in the best interests of the child. A delay might be justified when, for example, the child's placement is with a prospective adoptive parent who has been ill and required extended hospitalization.

The extension for CW Form 427-B signing shall be reviewed every 30 days by the Child Welfare Manager and continued approval based on the child's best interest documented in the case record. The worker shall document in the court report any delays in the Adoptive Agreement signing including the reasons for delay and the anticipated date of signing.

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## B. INTER AND INTRA-REGIONAL PLACEMENTS

If the child's foster parents are not interested in adoption, adoption resources including those in other areas of the state and nation, including licensed private agencies shall be explored. For purposes of this policy, the child's region shall be referred to as the sending region; the family's region shall be referred to as the receiving region.


The adoption placement decision shall be a team decision. The team consists of the Adoption Specialist and Adoption Supervisor in the sending region. The receiving region members of the team are the Home Developer who knows the family, the Home Development Supervisor, the Adoption Specialist to be assigned the case, and the Adoption Supervisor. The adoptive placement decision is made on the first line supervisor level.

The placement process is as follows:

- Either the Adoption Specialist or the Home Developer may request review of the child and family records for a possible placement. The Adoption Specialist will document the names of the potential matches in the child's record.
- The family's record travels first. It is sent by the [CW Case Transfer Form \(CT-1\)](#) from the Home Developer (receiving region) to the child's Adoption Specialist.
- The Adoption Specialist (sending region) reviews the record and requests further information if needed. The specialist then assesses if placement in this home is possible for the specific child. The specialist shall make inquiries of the receiving region and complete the placement assessment within two weeks of receipt of the record. The child's Adoption Specialist shall confer with his/her Adoption Supervisor and reach agreement on the decision as to whether placement of the child with this family should be pursued.
- The Adoption Specialist shall return the family record with a note on the [CW CT-1](#) as to whether the sending region wishes to pursue further consideration of this family for this child. If the decision was reached that the family would not be used, this review and reason for not using the family shall also be entered on the **\* Family Assessment Tracking System (FATS) \*\*** in the child's and family's records. There shall be open communication between the sending and receiving regions with information relayed by telephone or facsimile machine if necessary.

If the decision is to pursue placement with this family, the child's record is sent to the Home Development Unit in the receiving region for review and to the Adoption Specialist in the receiving region who will be assigned case responsibility if placement occurs.

The Adoption Specialist in the receiving region shall be responsible for documentation in the child's record, and for communication with the sending region, as the receiving region will

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assume supervisory responsibility for the placement, if it occurs. The receiving region Adoption Specialist shall respond to the sending region Adoption Specialist within a week of receipt of the record as to whether the family is available and appropriate for the child(ren). If the receiving region decides not to pursue placement, they shall inform the sending region of the reason, as well as enter this information in the family and child's record on the FATS and on screen 159 and return the record within one week.

Once the child's record is sent to the receiving region for consideration of placement with a particular family, placement with that family must be decided prior to consideration of another family. The decision not to place shall be based solely on the best interest of the child. The rationale for any decision not to place shall be entered in the child's case record and shall specify why the child's best interest cannot be served by placement in the family in question.


- If the decision is reached by the receiving region that this child and family may be a match, a staffing must be held which shall be attended by the sending region Adoption Specialist and Adoption Supervisor, the receiving region Home Developer familiar with the family and the Home Development Supervisor, the receiving region Adoption Specialist who will be assigned case responsibility and the Adoption Supervisor. Concurrence to place must be reached by at least the team members from the sending region Adoption staff and the receiving region Home Development Unit. NOTE: The sending region is not to contact the family in the receiving region until after the placement decision is confirmed. See guidelines below.

Ideally, this staffing should occur face to face, however a conference call may be arranged if time and distance present problems. For difficult placements staff are encouraged to meet face to face. This staffing shall include, but not be limited to, the decision whether or not to attempt placement; the number, duration and arrangement of pre-placement visits; the strengths and weaknesses of the child and family; and the tasks of each team member to facilitate placement. It is appropriate to include the child's foster parents as part of this staffing. They have a significant role in helping the child to move, providing information about the child to the adoptive parent, and are a connection for the child to his past.

Written confirmation of the staffing, whether face to face or by telephone, and the decisions reached are prepared by the sending region Adoption Specialist for inclusion in the child's and family's records.

Once the placement staffing is confirmed the family selected may be contacted and given specific information concerning the child by the receiving region. Placement of a child shall not be delayed for any reason other than the best interest of the child. It is expected that no more than one month shall pass between the beginning of consideration of a specific family and the presentation of the child to the family.

If the Adoptive placement team cannot reach a satisfactory agreement, the Child Welfare Manager assigned to adoption in each region shall confer. If they cannot reach an agreement,

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the Regional Administrators shall confer and attempt an agreement. If they cannot concur, the foster child's and family's records shall be sent to State Office, Attention: Adoption Child Welfare Consultant, for review. A team decision will be made which shall include Child Welfare Manager and Program Development staff.

### **1. Responsibilities of the sending region in interregional placements**

- a. To accept primary responsibility for pre-placement and placement scheduling and to provide written verification of arrangements to the receiving region, so that they may inform the family.
- b. Within ten working days of the date of placement, to update and transfer the child's and closed birth parent's case records to the receiving region. A dummy record shall be set up in the sending region.
- c. To prepare the child for pre-placement and placement activities including introducing the child to his next caseworker.
- d. To apply for the subsidy if needed.
- e. To ensure that Form [CW Form 427-B](#) and [SA-II Part 1](#). Provisional Approval are signed by all necessary parties.
- f. To provide verbal and written information to the family as outlined in Sections [8-420 B](#). and [8-430 A](#).
- g. To make placement plans for the child if the adoptive placement disrupts before finalization.
- h. To update the TIPS/LARE record and TIPS placement authorization prior to record transfer.
- i. To report the placement to the child's court, to prepare court reports, and to continue to represent the agency at review hearings.

### **2. Responsibilities of the receiving region in interregional placements**

- a. To ensure that CW Form 427-B and SA-II Part 1. are signed by all necessary parties. A placement with a pending subsidy application should not be made.
- b. To provide supervision to the adoptive family until the adoption is finalized.
- c. To place no other unknown child with this family for at least six months following finalization without consultation with the Adoption Specialist in the sending

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region. To provide post-placement services as indicated in Chapter 8, Part 5 of this manual.

- e. \*\*\* It is important for the sending region to be kept informed of the significant issues in a problematic placement. \* If significant problems develop, the receiving region shall notify the sending region promptly. \*\* Should the placement disrupt, the sending region will then be able to facilitate the child's replacement with another adoptive or foster family.

### C. PLACEMENT OF INFANTS AND CHILDREN UNDER AGE THREE

Adoption Units shall be involved as early as possible in any case situation in which it appears that an infant will be made available for adoption. An infant is considered to be any child under the age of one year. Cases, in which a birth parent is contemplating voluntary surrender of an infant not in agency custody, are to be referred to a licensed private agency for placement. The birth parent(s) shall make their own selection of agency.


If the parent has been refused by the private agencies, assignment and assessment of the case is assumed by the Adoption Unit when it involves an infant or child under the age of three years. All other requests to surrender a child not in agency custody are to be referred to the Family Services Unit for assignment and assessment. The Child Welfare Manager will make the final decision regarding whether the surrender will be accepted.

Depending upon the case situation, the Adoption Specialist/Foster Care Worker and the Family Service Worker may work jointly with the birth parent(s). It is strongly recommended that the infant be placed with his or her adopted siblings if possible.

\*\*\*

Every effort shall be made to achieve adoptive placement of any infant, i.e. the signing of [CW Form 427-B](#), within thirty working days from the date that the infant becomes free for adoption. This time limit is to be mandatory for all infants including those who are special needs children and those who have handicapping condition (s). A request for a waiver, if necessary, must be directed to the Child Welfare Manager for approval. Documentation of the factors used to select the adoptive parents must be made.

It is often difficult to find a placement for a special needs/handicapped infant within this time frame due to many reasons, some of which are placement resources, subsidy applications, SSI applications and, occasionally, the out of region or out of state placement process. It is therefore, important to document all efforts made and resources contacted. Mention of the inability to comply within thirty (30) working days and a realistic time frame for compliance due to the specific needs of the child shall be made a part of the child's case plan.

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## D. JOINT PLACEMENT WITH PRIVATE AGENCIES


### 1. Placement of Children in DCFS Custody in Private Agency Home

Children in the custody of DCFS and legally available for adoption may be placed in an adoptive home which has been certified by a licensed private adoption agency. Generally, procedures outlined in Section 8-430 B. of this manual should be followed with the following exceptions:

- a. DCFS children's records may not be copied and given to private agencies. Complete information as outlined in Section [8-420 B.](#) must be submitted to the private agency in writing. The exception to this are copies of medical reports (including physical and psychological and psychiatric evaluations), the child's school records, and personal letters to the child from his birth family, which may be given to the private agency after the adoption placement has been decided.
- b. The child's case record remains in the region of origin and stays open until the adoption is finalized. The finalization documents remain in the case record until the Adoption Supervisor in the sending region gives approval for the family to proceed with finalization. The documents are then forwarded to the private agency for use in filing the adoption petition. The Adoption Petition unit in the region where the private agency is located will be able to discern from the finalization documents filed with the petition that the child is in DCFS custody. The statement of facts to the family's attorney and the confidential report are the responsibility of the private agency. If the petition is missing the finalization documents, the Adoption Petition Worker shall contact the DCFS Adoption Supervisor to find out if this was an oversight on the part of the attorney, or if the agency has not given permission to finalize the adoption. If the sending region has not given permission to finalize, the Adoption Petition Worker shall notify the court that this adoption cannot proceed.

A copy of the final decree of adoption shall be forwarded to the region of origin so that the child's case record can be closed and to the Adoption Child Welfare Consultant in State Office if there was a **\* Purchase of Service Agreement. \*\*** Refer to [8-510](#), Closure and Disposition, and to [8-625](#), Obtaining the Revised Birth Certificate, for further information concerning disposition of the Birth Certificate and closure of the adoption petition record.

- c. The private adoption agency shall be expected to keep DCFS informed of the child's adjustment in the adoptive home. A minimum of two written reports is required during the six month supervisory period. If the supervisory period is extended, a report is required every four months.

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- d. Adoptive parents certified by another adoption agency must sign [CW Form 427-B](#) when a child in legal custody of DCFS is placed in their home.
- e. TIPS certification is necessary for a family certified by another licensed adoption agency regardless of whether an adoption subsidy has been approved. If an adoption subsidy is not approved, the Adoption Specialist must enter a non-payable service authorization to track the adoptive placement. See TIPS Policy Manual.

The Home Development Unit will assign a TIPS number to the HA case upon notification by the Adoption Specialist that the child has been placed, if not already assigned. Refer to [7-320](#) LARE policy.

## 2. Placement of Children Referred by a Private Agency in a DCFS Certified Adoptive Home.


Procedures outlined in Section 8-430 B. are generally followed with the following exceptions:

- a. When a private agency places a child in their custody in a DCFS certified adoptive home, the adoptive home study may be shared with the private agency.
- b. Adoptive parents will sign the placement agreement with the agency that has custody of the child.
- c. The private agency shall be informed of the availability of a subsidy for a special needs child and how to apply. They shall also be informed of reimbursement of some non-recurring adoptive expenses. Please refer to Part 7 of this policy for detailed information concerning these programs.

## E. INTERSTATE PLACEMENTS

The procedure for placement out-of-state is similar to the guidelines for inter and intra-regional placements in 8-430 B., and for Private Agency Placement. The family's home study is first reviewed by the child's Adoption Specialist. If the Adoption Specialist and his/her Supervisor agree to pursue placement, a written summary of information as delineated in Section [8-420](#) shall be sent to the Agency. Due to distance involved, a conference call shall be substituted for the face-to-face staffing. The staffing shall be confirmed in writing to all participants, and it shall be the responsibility of the child's Adoption Specialist to prepare and to send the confirmation.

When considering an interstate placement the Adoption Specialist shall determine that the out of state placement agency is licensed in the state in which the placement will be made. If a

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**\* Purchase of Service Agreement \*\*** is needed for the out of state agency to provide placement and supervision service, the Adoption Specialist Supervisor shall contact the Child Welfare Consultant in State Office to determine the availability of funds for this purpose and to initiate proper procedures. Refer to [8-425 D](#).

Prior to interstate placement of a medically involved, chronically ill, and handicapped child, arrangements shall be initiated for continuity of medical program services across state lines. Disruption of needed medical services should be prevented. The medical personnel working with the child and foster family in Louisiana should be requested to contact their counterparts in the receiving state to discuss the child's specific medical condition, treatment recommendations and related services.

If a decision is made after staffing to place with an out-of-state family, the Interstate Compact on the Placement of Children (ICPC) process is initiated by the Adoption Specialist. The following documents are required when Louisiana is the sending state: [ICPC Form 100A](#), court order, letter of explanation, case plan, social summary, copy of the Termination of Parental Rights Judgment or Act of Surrender document verifying child's legal availability for adoption, financial and medical assistance plan, supplemental information, and home study (if one has been completed within 12 months.) For more specific information regarding the documents required for an ICPC referral, please refer to [Chapter 11, Section 11-225](#).


**\* The child shall not be placed before ICPC approval is received from the receiving state. \*\***

The child shall not be placed before the subsidy decision is made. If it is decided that a subsidy application will be made, all appropriate approval forms must be completed and approval received either from State Office Adoption Subsidy Child Welfare Consultant in or the Regional Office staff person designated to approve Adoption Subsidies.

The Interstate Compact process may be expedited if all the above procedures are followed. The State Office Compact Coordinator shall be informed at the time of the placement staffing that the packet is to be sent. Once approved by the Louisiana Compact Administrator, the receiving state must also concur.

It is mandatory that all parties are told that the Compact procedure, although expedited, may take as many as 30 working days. **\* Preplacement activities, either with the family visiting the child in Louisiana or the child traveling out of state, are prohibited until the Compact approval procedure is completed. \*\***

If placement is approved and Louisiana will assume financial responsibility for travel for the child and/or adoptive parent, a travel request should be submitted to the ICPC Unit in accordance with Chapter 6, Part 16 Payment and Expenditures.

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## F. PROVISIONAL AGREEMENT

If the parties to an adoption wish to formalize any specific agreements prior to adoptive placement, they may do so through a provisional agreement. Such agreements usually refer to anticipated arrangements for sharing of information and future contact once an adoption is finalized.

The agency may agree to serve as an intermediary to the provisional agreement in circumstances indicating that it is in the child's best interest to do so. The provisional agreement is not binding on the agency, the biological family or the adoptive family. It serves as a method to document the wishes of the biological family and/or the adoptive parents. Parties to the provisional agreement must be made aware that once the adoption is finalized, the agency has no responsibility to see that the agreement is kept. The Worker shall emphasize to the surrendering parent that the agreement is unenforceable anywhere, anytime, such that it is completely subject to the decision of the adoptive parent to keep or break the promise. The prospective adoptive parent too, must be made aware that the biological parent will also not be under legal obligation to comply with the stated provisions.

In cases involving no identified adoptive parent, DCFS staff are never to make a provisional agreement with a biological parent that requires or promises to negotiate a provisional agreement with the adoptive parents once they are selected. Provisional agreements shall only be made between a child's prospective adoptive parent(s) and his or her surrendering biological parent(s).


Below are examples of provisional agreement arrangements.

### 1. Exchange of Information

Some birth parents may choose to keep the agency and the adoptive family informed of social information or medical conditions which develop in the birth family after the child's adoption. The adoptive family may choose to keep the birth parent(s) informed of similar information about the child.

When it is agreed by all parties that an exchange of such information will be beneficial, a Provisional Agreement may formalize the agreement. The birth parent shall be advised to contact the Regional Adoption Supervisor so that the information may be exchanged. The Regional Office shall keep a record of information received. The following is an example of a Provisional Agreement for medical/social information:

- a. "We agree to the ongoing exchange of medical/social information between our families. We understand that the agency will act as an intermediary in the exchange of information. We further agree to keep the agency informed of our current address so this information can be forwarded accordingly."

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- b. "We agree to exchange information and photographs on a yearly basis until the child is 18 years old. We agree to keep the agency informed of our current address so this information can be forwarded accordingly.

## 2. Future Contact

It may be in the best interest of a child, particularly an older child to maintain some kind of contact with birth family members, former foster family members, or siblings from whom they have been separated in placement. In such cases, specific arrangements for anticipated future contact may be formalized by a Provisional Agreement. An example of specific arrangements in such an agreement is:

"As adoptive parents, we agree that (name of birth parent) may visit with (name of child) at (designated location) twice yearly while (name of child) is a minor. We accept these arrangements with the understanding that the birth parent will not become involved in parenting issues."

## G. CONTINUING CONTACT AGREEMENTS


[Children's Code Art. 1269.1](#) provides for the preservation of a child's significant relationship through voluntary development of a legally binding post-finalization contact agreement, when agreed on by the parties and recommended by the Agency and the child's attorney to be in the child's best interests. Continuing Contact Agreements are intended to pertain primarily to those older children for whom complete loss of an established significant relationship is a barrier to successful adoption.

The law restricts Continuing Contact agreements to parents, grandparents, siblings or, when in the absence of these familial ties, an adult relative if the child has an established, significant relationship with that person to the extent that loss of the relationship would cause substantial harm to the child. The agency must assess if it is in the child's best interests to preserve the relationship. (An adult relative is defined by the law in these cases as one related to the child by blood, adoption or marriage).

Agreements need only reflect the minimal level of contact agreeable to the parties. Further, continuing contact need not mean face to face contact, or even direct communication. Although periodic visits may be desirable for some children, for others the contact may be an exchange of letters and/or cards or pictures between the child and his relatives or between the relatives and the adoptive parents.

### 1. Recommendation of Post-Adoption Contact

A recommendation for continuing contact should be revisited by adoption staff when a significant amount of time has elapsed since the severing of parental rights. If

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continuing contact appears to be in the child's best interest, staff will also need to consider what level of contact would be advisable.

## 2. Counseling Prospective Adoptive Parents

Although adoption staff shall consider a child's need for continuing contact as one factor in the selection of an adoptive home, DCFS is not a party to post-adoption Continuing Contact agreements. Prospective adoptive parents shall be made aware of the child's need to maintain a relationship with a relative, if applicable. At the time the child is presented, prospective adoptive parents should be provided with the information which they will need to make a decision about the extent of contact to which they would want to commit in a legally binding, enforceable agreement.

The agency must determine, based on the unique circumstances of each case, the extent to which the adoptive parents' willingness to become a party to such an agreement will be a factor in the final decision regarding the suitability of the placement.

In a situation in which the court orders post-adoption continuing contact without the voluntary agreement of the adoptive parents and relatives, staff are to counsel the adoptive parents to contact their attorney to appeal.

## 3. Agreements Involving Siblings in Other Homes

Formal post-adoption agreements for continuing contact between siblings in different adoptive homes must be entered into voluntarily by the adoptive parents of each child. Any written **agreement** shall reflect the minimum level of contact to which all adoptive parents are willing to commit.

Examples of Continuing Contact agreements are provided in [Article 1269.2](#) of the Children's Code.

## III. FORMS AND INSTRUCTIONS

CW [Form SA-II](#) / [Instructions](#) Adoption Subsidy Agreement

CW [Form 427-B](#) / [Instructions](#) Placement Agreement Between DCFS, CW, and Adoptive Parents

CW [Form FAST III](#) / [Instructions](#) Change Redetermination Form

ICPC [Form 100A](#) Interstate Compact Placement Request

## IV. REFERENCES

[Children's Code Art. 1269.1](#)

[Children's Code Art. 1269.2](#)