

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 10:</b> Adoption/Permanency	<b>Effective Date:</b> July 1, 2014
	<b>Section 1:</b> Planning for Adoption - Overview	<b>Version:</b> 3

**POLICY [REVISED]**

The Indiana Department of Child Services (DCS) will convene either a Child and Family Team (CFT) Meeting or Case Plan Conference to discuss adoption planning for the children in out-of-home care with a permanency plan of adoption and identify any needed services. See Practice Guidance and separate policy, [5.7 Child and Family Team Meetings](#).

The process of adoption planning for all children in out-of-home care with a permanency plan of adoption may be initiated:

1. When a court finds an exception to the requirement to make reasonable efforts to reunify the family exists;
2. When a child has been under a dispositional decree for at least six (6) months with no significant progress made toward a plan of reunification. See separate policy [6.12 Involuntary Termination of Parental Rights \(TPR\)](#); or
3. At the filing of TPR.

**[NEW] Note:** DCS will not sign the [Consents to Adoption \(SF12582\)](#) until a prospective adoptive parent has been identified and:

- a. The period of appeal for the TPR has passed, or
- b. Any final appellate opinion related to the TPR has been certified and the period for appeal has passed on any issues remanded to the juvenile court, and
- c. The negotiations for Adoption Subsidy have been negotiated and finalized.

In accordance with the federal law that addresses race and ethnicity in placements, Multiethnic Placement Act of 1994 as amended by the Interethnic Adoption Provisions of 1996 (MEPA-IEP), DCS will not delay or deny the adoptive placement of a child based on the race, color, or national origin of the adoptive resource family or the child involved. If a Native American child is involved, refer to the Indian Child Welfare Act (ICWA). See separate policy [2.12 Indian Child Welfare Act](#).

DCS will ensure that all children in out-of-home care with a permanency plan of adoption receive age appropriate services (e.g., individual counseling, homebased services, etc.) from a service provider in order to prepare the child for the adoption process.

DCS will ensure that a diligent search has been conducted throughout the life of the case to locate all possible family members to discuss adoption, followed by searching for a non-relative potential adoptive family for all children with a permanency plan of adoption.

## Code References

1. [IC 31-34-21-4: Notice of case review; testimony in periodic case review](#)
2. [IC 31-34-21-5.7: Permanency plan; requirement; approval; reports and orders not required](#)
3. [25 U.S.C. §1903\(4\): Indian Child Welfare Definitions](#)
4. [25 U.S.C. §1911: Indian tribe jurisdiction over Indian child custody proceedings](#)
5. [25 U.S.C. §1913: Parental rights; voluntary termination](#)
6. [25 U.S.C. §1915: Placement of Indian children](#)
7. [42 U.S.C. Sec. 1996b: Interethnic Adoption](#)

## **PROCEDURE**

The Family Case Manager (FCM) will:

1. Update the [Case Plan \(SF2956\)](#) to reflect the new court approved permanency plan;
2. Ensure that the following persons are notified of the court's ruling regarding the permanency plan:
  - a. The child (if applicable),
  - b. Child's parent, guardian, or custodian, and attorney of record,
  - c. Resource parent,
  - d. Mental health provider or therapist, if applicable,
  - e. Guardian ad Litem (GAL) or Court Appointed Special Advocate (CASA), if applicable,
  - f. Members of the CFT,
  - g. Any fit and willing relative or person who DCS knows has a significant relationship to the child, and
  - h. Prospective adoptive parent, named in an adoption petition, if consent has been received or TPR has been filed. See separate policies, [6.4 Providing Notice](#) and [6.11 Permanency Hearing](#).
3. Begin the legal process for TPR. See separate policies, [6.12 Involuntary Termination of Parental Rights](#) and [6.13 Voluntary Termination of Parental Rights](#);
4. Discuss with the resource family their role in helping prepare the child for the adoption process. See separate policy, [10.4 Resource Parent's Role in Preparing the Child for Adoption](#);

Note: This discussion should take place regardless if resource family is the prospective adoptive family.

5. Prepare the child for adoption. See separate policy, [10.3 Preparing the child for Adoption](#).
6. Determine the child's eligibility for Special Needs Adoption Program (SNAP) services. See separate policy, [10.6 Making a Special Needs Adoption Program \(SNAP\) Referral](#);
7. Complete the Child Social Summary within 45 days of filing the TPR petition. See separate policy, [10.11 Child Social Summary](#);
8. Contact the SNAP Specialist regarding recruiting, interviewing and selecting a prospective adoptive family, if a home has not been identified;
9. Start the process for determining eligibility for adoption assistance benefits. See separate policies, [10.14 Indiana Adoption Assistance Program Overview \(AAP and SAS\)](#).

The FCM Supervisor will:

1. Staff the case with the assigned FCM and make recommendations regarding the permanency plan;
2. Ensure the case plan has been updated to reflect the new permanency plan;
3. Ensure the [Child Social Summary](#) has been completed and forwarded to the SNAP Specialist in a timely manner, if applicable;
4. Assist the FCM as needed with the adoption process; and
5. Review and approve, if necessary, any services needed for the child or the prospective adoptive family.

## **PRACTICE GUIDANCE**

### **Child and Family Team Meetings and the TPR Process**

1. CFT Meetings can be used to determine transitional services, planning, and to address closure. Two separate CFT Meetings may be necessary, one for parents whose rights might be terminated and another one for the prospective adoptive family. Separate CFT Meetings are not required if parents and prospective adoptive parents are willing to meet together;

Note: It is best practice to have an identified prospective adoptive parent prior to TPR.

2. Following completion of TPR, parents whose rights have been terminated may be included in the CFT Meeting process, if they are deemed appropriate by the team; and
3. Other appropriate family members and supports to the child may also be included in the CFT Meeting following the completion of a TPR.

## **FORMS AND TOOLS**

1. [Tool 10.B: Child Social Summary](#)
2. [Tool 10.A. Termination of Parental Rights \(TPR\)/Adoption Checklist](#)
3. [Case Plan \(SF2956\)](#) – Available in MaGIK

## **RELATED INFORMATION**

N/A