| | INDIANA DEPARTMENT OF CHILD SERVICES<br>CHILD WELFARE POLICY | |
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| | **Chapter 10:** Guardianship and Adoption<br>**Section 24:** Permanency Goal of Adoption or Guardianship | |
| | **Effective Date:** July 1, 2026 | **Version:** 3 |

## POLICY OVERVIEW

When returning home is not safe or in the child's best interest, a new plan may be needed. Guardianship or adoption may provide the child with a safe and permanent home. Both guardianship and adoption create a legal relationship between the child and the caregiver and are intended to be permanent.

## POLICY STATEMENT

If a child cannot safely return home, the Indiana Department of Child Services (DCS) will hold a Child and Family Team (CFT) meeting and/or Case Plan Conference and discuss guardianship or adoption as next steps. These meetings help plan for the child's future and identify any services the child may need (see Practice SOP Child and Family Team [CFT] Meetings).

DCS may start a new plan for a child in out-of-home care when:

1. The court rules that reasonable efforts to reunify the family are not required; or
2. A child has been under a dispositional decree for at least six (6) months with no significant progress toward a plan of reunification.

DCS follows the Multiethnic Placement Act (MEPA-IEP). This means:

- DCS will neither delay nor deny the child's placement based on the race, color, or national origin of the child or caregiver.
- DCS will not deny a placement because pf a disability of the child or caregiver.

If the child is Native American, DCS will follow the Indian Child Welfare Act (ICWA) (see policies 2.12 and 8.02).

DCS will keep searching for the child's relatives and kin throughout the life of the case. DCS will talk with relatives and kin about adoption and guardianship and help them to understand the differences between these two options. See policy 5.23.

## LEGAL REFERENCES

- IC 31-9-2.1-192: "Prospective adoptive parent"
- IC 31-19-11-1.1: Prohibited discrimination and considerations for petitions for adoption filed by persons with a disability
- IC 31-34-21-4: Notice of case review; testimony in periodic case review
- IC 31-34-21-5.7: Permanency plan; requirement; approval; reports and orders not required
- 25 USC 1903(4): Definitions "Indian child"

- 25 USC 1911: Indian tribe jurisdiction over Indian child custody proceedings
- 25 USC 1913: Parental rights; voluntary termination
- 25 USC 1915: Placement of Indian children
- 42 USC 1996b: Interethnic adoption
- 42 USC 12102: Definition of disability