



INDIANA DEPARTMENT OF CHILD SERVICES

CHILD WELFARE POLICY

Chapter 10: Guardianship and Adoption

Section 10: Unlicensed Relative or Kinship Adoption

Effective Date: March 1, 2025

Version: 5

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POLICY OVERVIEW

When a child cannot safely be reunified with a parent, guardian, or custodian, the first consideration for legal permanency should be with an appropriate relative or kin. This provides a familiar, safe, and nurturing environment to minimize loss and allows the child to maintain connections with other family, community, and culture.

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PROCEDURE

The Indiana Department of Child Services (DCS) has established the following guidelines for an unlicensed relative or kin who wants to become a prospective adoptive parent (see Definitions) for the purpose of adopting a DCS ward:

1. Efforts to reunite the child with either parent has been unsuccessful;
2. The child has lived in the home of the unlicensed relative or kin for six (6) continuous months or longer;
3. The permanency plan is adoption and there is a significant emotional attachment between the child and the unlicensed relative or kin, as assessed by a counselor, therapist, or other professional specializing in attachment;
4. The completion of the Resource and Adoptive Parent Training (RAPT) pre-service training and six (6) hours of RAPT IV-Adoption training is recommended, but is optional (see policy 12.05 Pre-Service Training Requirements); and

Note: All training (including the pre-service training and the RAPT IV-Adoption training) may be waived with a written exception from the DCS Local Office Director (LOD) for purpose of unlicensed relative or kinship adoption.

5. Submission of a written adoption summary to the court detailing DCS' recommendation for adoption (see policy 10.25 Adoption Summary).

Note: A complete home study is not required for unlicensed relative or kin adoptions.

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 in accordance with the Multiethnic Placement Act – Interethnic Adoption Provision and amendments (MEPA-IEP). In addition, DCS will not deny the adoptive placement of a child based solely on a prospective adoptive parent's disability.

DCS requires background checks on all persons who live in a prospective adoptive home when a DCS ward is being adopted (see policies 13.07 Conducting Background Checks for Adoptions and 13.08 Evaluating Background Checks for Adoptions).

DCS will ensure the prospective adoptive parent is made aware of their ability to apply for the following benefits (see policy 10.14 Indiana Adoption Assistance Program Overview [AAP and SAS]):

1. Medicaid,
2. Non-recurring adoption expenses (NRAE),
3. Adoption assistance periodic payments, and
4. Post-adoption services (PAS).

The Family Case Manager (FCM) will:

1. Staff with the FCM Supervisor and LOD to discuss the approval of the unlicensed relative or kin as a prospective adoptive parent after the child has been in the home for six (6) months;
2. Confirm a referral was made to the Focused Needs Team if the child is Native American, (see policy 2.12 Administration of the Indian Child Welfare Act).
3. Complete the 10.B Tool: Child Social Summary (see policy 10.11 Child Social Summary);
4. Explain the adoption process, including the Adoption Assistance Program (AAP) to the prospective adoptive unlicensed relative or kin and the child, if applicable (see policies 10.01 Planning for Adoption - Overview, 10.14 Indiana Adoption Assistance Program Overview [AAP and SAS], and 10.A Tool: Termination of Parental Rights [TPR]/Adoption Checklist);
5. Ask the prospective adoptive unlicensed relative or kin if they need a reasonable accommodation due to a disability and assist in planning for any identified reasonable accommodation;
6. Initiate the background check process of all individuals living in the pre-adoptive home (see policy 13.07 Conducting Background Checks for Adoptions);
7. Provide and explain the Explanation of Adoption Summary form to the prospective adoptive unlicensed relative or kin and ensure necessary signatures are obtained;
8. Complete a written adoption summary for the court within 60 calendar days of the date the adoption petition is filed. The adoption summary should include information outlined on the Explanation of Adoption Summary form;

Note: The adoption summary may not contain the following regarding unlicensed relative or kin that is the prospective adoptive parent:

1. Information concerning the financial circumstances, or
2. Any recommendation regarding a request for subsidy.

9. Provide the opportunity for the prospective adoptive unlicensed relative or kin to review the redacted case file.
10. Ensure the prospective adoptive unlicensed relative or kin has contact information for the regional Adoption Consultant and the PAS brochure, which has information about accessing PAS; and
11. Upload all documentation into the case management system.

The FCM Supervisor will:

1. Ensure the FCM has completed all required background checks in a timely manner (see policies 13.07 Conducting Background Checks for Adoptions and 13.08 Evaluating Background Checks for Adoptions);
2. Participate in the agency staffing and provide input as necessary;
3. Ensure the Explanation of Adoption Summary form has been explained, and all necessary signatures have been obtained;
4. Confirm the prospective adoptive unlicensed relative kin has received a copy of the child social summary and has had the opportunity to review the child's redacted case file; and
5. Ensure all required information and documentation is in the child's adoption file and uploaded into the case management system (see policy 10.14 Indiana Adoption Assistance Program Overview [AAP and SAS]).

The LOD will:

1. Review requests to waive the pre-service and RAPT IV trainings for adoptions by unlicensed relative kin;
2. Respond to the request with a written exception waiving the training requirements and document in the case management system.

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RELEVANT INFORMATION

Definitions

Prospective Adoptive Parent:

A prospective adoptive parent is a person who has filed a petition for adoption of a child under IC 31-9-2-99.2.

Forms and Tools

- [10.A Tool: Termination of Parental Rights \(TPR\)/Adoption Checklist](#)
- [10.B Tool: Child Social Summary](#)
- [Adoption Consultant map](#)
- [Adoption Summary \(SF 57482\)](#)
- [Explanation of Adoption Summary \(SF 56527\)](#)
- [Explanation of Indiana Adoption Program \(AAP &54352 SAS\) and Background Information \(SF 54352\)](#)
- [Focused Needs Team](#)
- [Post-adoption services \(PAS\)](#)

Related Policies

- [2.12 Administration of the Indian Child Welfare Act](#)
- [10.01 Planning for Adoption - Overview](#)
- [10.11 Child Social Summary](#)
- [10.14 Indiana Adoption Assistance Program Overview \(AAP and SAS\)](#)
- [10.25 Adoption Summary](#)
- [12.05 Pre-Service Training Requirements](#)
- [13.07 Conducting Background Checks for Adoptions](#)
- [13.08 Evaluating Background Checks for Adoptions](#)

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LEGAL REFERENCES

- [IC 31-9-2-99.2: "Prospective adoptive parent"](#)

- [IC 31-19-2-2: Adoption of minor child; petition; venue; substituting petitioner](#)
- [IC 31-19-2-7.5: Submission of information, forms, or consents for criminal history check](#)
- [IC 31-19-2-15: Information provided to current foster parent and prospective adoptive parent; explanation of information; signature](#)
- [IC 31-19-8-5: Agency report and recommendation; filing requirements; waiver of report](#)
- [IC 31-19-8-6: Contents of report](#)
- [IC 31-19-11-1.1: Prohibited discrimination and considerations for petitions for adoption filed by persons with a disability](#)
- [IC 31-19-26.5: Chapter 26.5. Adoption Subsidies](#)
- [42 USC 673: Adoption and guardianship assistance program](#)
- [42 USC Ch. 126 12102: Definition of disability](#)
- [P.L 103-382 Multiethnic Placement Act of 1994](#)

PRACTICE GUIDANCE- DCS POLICY 10.10

Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.

N/A