

LCCS POLICY 801

Pre-finalization Adoption Matching and Placement Services

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See new Policy #:	

Scope:	This policy applies to LCCS Services Division Workers-of-Record, Supervisors and Managers.
Responsibility:	Adoption Supervisor and Manager of Placements
Purpose:	To assure the matching of child and applicant is timely, regardless of any diversity issue, and based on a mutual judgment between agency and applicant that the child's best interest is served.
Legal Cite:	ORC 2151.86; 5101.141; 5103.03; 5103.20; 5104.14; 5153.12; 5153.16; 5153.161; 5153.163; 3107.013; 3107.09; 3107.091; 3107.17; 3107.61; 3107.62; 3107.64; 3107.68; 3107.083 OAC 5101:2-7; 5101:2-42-18.1; 5101:2-42-67; 5101:2-48-05; 5101:2-48-11; 5101:2-48-11.1; 5101:2-48-12; 5101:2-48-13; 5101:2-48-15; 5101:2-52

POLICY STATEMENT

LCCS' goal is to provide children in the agency's permanent custody with an adoptive home that meets their best interest.

LCCS will consider all approved applicants who have expressed interest in adoption and can meet the best interests and special needs of the child regardless of race, color, national origin, age, handicap or geographic location.

LCCS will not delay or deny a placement on the basis of race, color, national origin or geographic location.

DEFINITIONS

Date of Permanent Custody: The date of the court's filing of its order of permanent commitment of the child to LCCS or the date of proper execution of JFS 01666 (Rev. 6/2006), "*Permanent Surrender of Child*".

Pre-adoptive Staffing: The process of identifying, planning and coordinating services for a child after the execution of the permanent surrender or the file stamp date of the permanent custody order.

Matching Conference: The process of determining the most appropriate family to adopt a child based on the child's individual needs and the ability of the prospective adoptive parent to meet those needs.

PCSA: Public Children Services Agency

PCPA: Private Child Placing Agency

PNA: Private Noncustodial Agency

PROCEDURE

LCCS will make an adoptive placement only when it has permanent custody of a child, whether custody is obtained by permanent surrender or commitment. A child will only be placed into an adoptive home which meets the best interests and special needs of the child.

LCCS will begin providing services to prepare the child for adoptive placement no later than the date of the permanent custody.

LCCS will only place a child in an Ohio home for the purpose of adoption when a homestudy has been completed and approved by an Ohio PCSA, PCPA or PNA, pursuant to rule 5101:2-48-11 or 5101:2-48-11.1 or 5101:2-48-12, as applicable. The homestudy will have been completed by a PCSA, PCPA or PNA with authority recognized by ODJFS to complete adoptive homestudies.

LCCS may place a child in an adoptive home in another state pursuant to rules governing the interstate placement of children pursuant to Chapter 5101:2-52 of the OAC.

WORKING WITH THE CHILD

An adoption assessor (caseworker) will be assigned to work with the child on adoption planning and placement issues no later than forty-five (45) days after the execution of the permanent surrender or the file stamp date of the permanent custody order. If the permanent custody order is under appeal, an adoption assessor will be assigned to work with the child on adoption planning and placement issues no later than forty-five (45) days of the issuance of the final decision.

The assessor may also serve as the child's caseworker.

The adoption assessor will review and help the child explore, at least, the following adoption issues during monthly visits with the child:

- Biological and social information
- Substitute care placement history
- Self-esteem issues
- Separation and attachment issues
- Feelings concerning adoption
- Lifebook materials prepared pursuant to OAC 5101:2-42-67
- Terms and conditions of an open adoption, if applicable

The adoption assessor will document the services provided to prepare the child for adoption in the child's case record.

PRE-ADOPTIVE STAFFING

LCCS will conduct a pre-adoptive staffing according to the following parameters:

- No earlier than the date of the filing for termination of parental rights (TPR) or the birth of the child, if the child is being adopted as an infant less than six (6) months of age;
- No later than forty-five (45) days after the execution of the permanent surrender or the file stamp date of the permanent custody order;
- Within forty-five (45) days of the issuance of the final decision, if the order is under appeal.

The following individuals will be invited to attend the pre-adoptive staffing:

- The child's caseworker;
- The child's caseworker's supervisor;
- The adoption assessor assigned to work with the child on adoption issues and the adoption placement, if different from the child's on-going caseworker;
- The adoption assessor's supervisor, if different from the on-going caseworker's supervisor;
- Any LCCS staff person who has the specific assignment of recruiting families for children who are awaiting adoption;
- Any assessor who has or is in the process of a homestudy for a kinship or foster family who has indicated an interest in the child;
- The Guardian Ad Litem (GAL), if one has been assigned to the child's case;
- The Court Appointed Special Advocate (CASA), if one has been assigned to the child's case;
- Other key professionals working specifically with the child, who have knowledge about the child's history and current needs that will be helpful to determine the child's placement needs;
- The child's current caregiver, if deemed appropriate by the agency;
- The child, if it's in the best interest of the child and deemed appropriate by the agency;
- The birth family, if in the best interest of the child and deemed appropriate by the agency;
- The LCCS Multiethnic Placement Act (MEPA) Monitor.

As relevant to the child, the following information will be discussed during the pre-adoptive staffing:

- The child's developmental, medical and social history;
- Previous placements;
- Current strengths, limitations and other special needs, including previous or current relationships with siblings or other birth relatives;
- Current therapeutic assessments and needs to be considered in determining the child's adoptive placement;
- Specific recruitment efforts to find a permanent home for the child;
- Planning for transition of the case planning from a focus on foster care to adoption;
- Assessing the child's understanding of and readiness for adoption;
- Planning for good-bye visits;
- Status of the child's Lifebook;
- The JFS 01530 (Rev. 12/2006), "*Multiple Children/Large Family Assessment*", as outlined in rule 5101:2-48-12 of the OAC;
- Any families who may be interested in adopting the child;
- Other preparation issues for adoption.

The LCCS staff person serving as chair/facilitator of the pre-adoptive staffing will ensure that the discussion/results are documented on JFS 01690 (Rev. 12/2006), "*Documentation of the Pre-adoptive Staffing and Updates*" form and maintain that form in the child's adoptive case record. Once completed, but no longer than fifteen (15) days after the pre-adoptive staffing, the chair/facilitator will ensure that copies of the JFS 01690 are also distributed to the assessors in the agency who complete adoption homestudies.

MATCHING CONFERENCES

A matching conference will be conducted to match a child with a family for the purpose of adoption and will be held prior to the placement of the child for adoption and as outlined in rule 5101:2-48-05 of the OAC.

The initial matching conference will be held within ninety (90) days of the execution of the permanent surrender or the file stamp date of the permanent custody order, unless the order is under appeal. If the order is under appeal, the matching conference may be held prior to the issuance of the final decision. If it is not held prior to the issuance of the final decision, the initial matching conference will be held, no later, than ninety (90) days after the issuance of the final decision.

The following individuals will be invited to any matching conferences held:

- The child's previous caseworker, if different than the assessor (for the first matching conference only);
- The child's previous caseworker's supervisor, if applicable (for the first matching conference only);
- The adoption assessor assigned to work with the child on adoption issues and placement;
- The adoption assessor's supervisor;
- The child's current caseworker, if different than the adoption assessor;

- Any LCCS staff person who has the specific assignment of recruiting families for children who are awaiting adoption, if there are no families identified for the child being presented in the matching conference;
- Any adoption caseworker who has responsibility for an approved adoptive family where the JFS 01673 (Rev. 12/2006), "*Assessment for Child Placement (Homestudy)*" and the JFS 01673-A (Rev. 12/2006), "*Child Characteristics Checklist for Foster Care and/or Adoption*" indicates acceptance of the special needs of the child and the family is interested in being considered for the child;
- Any assessor from any agency who is responsible for an approved adoptive applicant being presented at the matching conference;
- The GAL, if one has been assigned to the child's case;
- The CASA, if one has been assigned to the child's case;
- Any other professional who may have knowledge of the child's history and current needs that will be helpful to determine the child's placement needs;
- The MEPA Monitor.
- NOTE: The chair/facilitator of the matching conference will ensure that an E-mail regarding the scheduling of the conference is sent to the external MEPA Monitor at: MatchingConference@jfs.ohio.gov

The following individuals will attend the matching conference and be included in the placement decision-making process:

- The adoption caseworker for the child;
 - The caseworker for the adoptive family;
 - A member of the LCCS administrative or supervisory staff adoption program;
 - If the adoption caseworker and family caseworker is the same person, another adoption program staff member will participate to assure that, at least, three (3) individuals participate in the matching decision;
 - If the agency does not have, at least, three (3) adoption program employees who can participate in the matching conference, another LCCS professional or para-professional will participate. This person will have, at a minimum, basic knowledge related to special needs adoption and permanency planning;
 - If more than one (1) PCSA, PCPA or PNA are involved in an adoptive matching decision, a representative from each agency will participate in the matching conference.
- NOTE: Participation by teleconference is acceptable.

The representatives from the PCSA's, PCPA's and/or PNA's who are participating will provide relevant information that may impact the safety and well being of the child placed with the prospective adoptive family. At a minimum, that information will include:

- Past or present functioning of the prospective adoptive parent(s);
- Any/all rule violations involving a foster and/or pre-adoptive child;
- Any/all third party investigations;
- Information related to previous adoption applications;
- Previous disruptions from the prospective adoptive family home.

If applicable, the "*Multiple Children/Large Family Assessment*, JFS 01530, as outlined in rule 5101:2-48-12, will be discussed during the matching conference.

LCCS representatives will document each matching conference on the JFS 01689 (Rev. 12/2006), "*Documentation of the Placement Decision-Making Process*" during the matching conference.

LCCS representatives will document each matching conference for each child on the JFS 01610 (Rev. 2/2005), "*Child Permanency Planning Data Summary*" during or immediately following the conference.

At a minimum, the matching decision will be based on the following:

- Consideration of the placement of siblings together;
- The JFS 01690 (Rev. 12/2006), "*Documentation of the Pre-adoptive Staffings and Updates*";
- The JFS 01689 (Rev. 12/2006), "*Documentation of the Placement Decision-Making Process*";
- The JFS 01688 (Rev. 5/2007), "*Individualized Child Assessment*", if applicable.

Regardless of the geographic location, the following preferential order will be given when considering families in the matching process:

- 1) All adult relatives of the child, including a relative or non-relative who the birth mother:
 - a) has indicated, by name, as a potential resource to adopt her child.
 - i) The identified relative or non-relative will have, at a minimum, a signed JFS 01691 Rev. 12/2006), "*Application for Child Placement*" or other signed adoption application on file with another state, at least, five (5) working days prior to the matching conference.
 - ii) The identified relative or non-relative will meet all relevant state child protection standards; unless LCCS, another PCSA or PCPA determines that the placement is not in the best interest of the child.
- 2) The child's foster caregiver who is approved to adopt or who has completed the JFS 01691, at least, five (5) working days prior to the matching conference, unless the agency determines that the placement is not in the best interest of the child.
- 3) Foster caregiver with whom the child has previously resided.
- 4) Other suitable and approved prospective adoptive families based on the:
 - a) level of experience a family has working with the specific medical, behavioral or
 - b) mental health challenges a specific child presents.

NOTE: Child's preference may be considered when the child has the capacity to express his or her preference, as well as length of time between adoptive placements.

If only one relative or the child's current foster caregiver has expressed an interest in adopting the child, and the agency deems that placement with that person is in the child's best interest, the agency shall give preference to this family in the placement selection; the agency is not required to consider other families in the matching conference.

If the child is a member of a federally recognized tribe or Alaskan Native Village, the Indian Child Welfare Act of 1978, 25 U.S.C.A. 1901 (1/2/06) (ICWA) shall take precedence for an adoption.

LCCS will consider placing siblings together. (See Policy #701)

Religious beliefs and/or religious affiliation will be considered in determining the suitability of prospective adoptive parents only in the following circumstances:

- If the prospective adoptive parents' religious beliefs are inflexible, dogmatic and, therefore, likely to take precedence over the needs of the child;
- If atheistic prospective adoptive parents would not permit the child to pursue any form of religious education.

Subsequent matching conferences will be held for the child, except as noted below, at least, once every ninety (90) days following the date of the initial matching conference. Thirty (30) days prior to each matching conference, the JFS 01690 will be updated and made available to all adoption assessors who are responsible for the completion of adoptive homestudies and on SACWIS.

If a family was previously considered for a child in a matching conference and was not interested in the child; the agency does not have to consider the family for the same child in subsequent matching conferences.

If approved adoptive families have not been identified for the child, LCCS may elect to conduct a search for approved adoptive families in SACWIS, as outlined in rule 5101:2-48-05 of the OAC.

If LCCS elects to not use SACWIS to search for approved adoptive families, the agency will demonstrate and document how it engages in diligent recruitment efforts to find suitable approved families. Examples of diligent efforts may include:

- Engaging in recruitment activities for the child that demonstrate a good faith effort to recruit approved adoptive families for the child. LCCS will document the specific recruitment steps taken and efforts made for the child on JFS 01689;
- Contracting for recruitment activities for the specified child;
- Transferring the child's case to a specific unit within LCCS that specializes in child-specific recruitment services for children where no identified approved adoptive families are available. In such cases, LCCS will actively recruit adoptive families who can meet the child's individual needs;
- Forwarding information on the child to other agencies in attempts to find approved adoptive families who are interested in adopting the child;
- The adoption assessor will present a video of the child at adoption orientation training and on-going training, as well as, community forums.

If there are no families available to be considered at a matching conference for a specified child, LCCS shall conduct child-specific recruitment for the child prior to the next matching conference. This shall include at a minimum:

- Distribution of written information regarding the child to two or more adoption agencies
- Review of the case file for relatives or individuals in the child's past who may be able and willing to provide a permanent home for the child
- Exploration with the child of the individuals with whom the child is familiar who may be able and willing to adopt the child.

Subsequent matching conferences are not required when:

- The child has been matched with an adoptive family in a matching conference;
- The child is age eighteen (18) years or older;
- The child's custody changes to a status other than permanent custody.

If the child's adoptive placement disrupts and there is a permanent surrender or if the child is placed in the permanent custody of LCCS, the agency will begin the cycle of ninety (90) day matching conferences again, with the first one due ninety (90) days from the date of disruption.

If an applicant knowingly makes a false statement in the application or homestudy process, the custodial agency (LCCS) will not present that family at the matching conference if the outcome of the agency review results in a re-assessment of the homestudy.

APPEAL PROCESS

If consensus among the participating LCCS staff cannot be reached, the LCCS Adoption Supervisor makes the final decision. The LCCS Adoption Supervisor then reminds the participating LCCS Staff of their right and responsibility to appeal, as well as, the process for such an appeal. The request for an appeal **must be made to either the Department of Family Services Manager or the Placement Department Manager by the appellant within 72 hours, and can only be made by a staff member who attended the Matching Conference.**

The notified Manager will ensure that the meeting is scheduled through the Placement Department Secretary, who will notify:

- The Placement Department Manager,
- The Department of Family Services Manager,
- The Assessments Department Manager,
- The Community Development Department Manager, and
- LCCS staff who attended the matching conference.

Participants in the meeting will include only the staff who participated in the appealed Matching Conference and their Managers.

The Adoption Supervisor will debrief the Managers of the matching conference decision and the reason for the appeal.

The appellant must present their recommendations and rationale for the appeal.

The Managers may request other persons who were part of the matching conference to provide additional information, if warranted.

Once all information has been presented/received the decision making Managers will dismiss themselves to another room to make the decision.

The Managers will review and discuss the presented information and reach consensus. Once the decision is made, the Managers will return to the room and the Manager of the appealing department will notify the parties of the decision and any action steps that need to be taken.

The Adoption Supervisor will document the decision in the Activity Log section of the client SACWIS case record.

If the Managers cannot reach consensus, the Associate Director of Services or designee will meet with the Managers present at the appeal to obtain the information needed to reach a decision to affirm or overrule the matching conference decision.

TIMEFRAMES

Matching Conference Appeals must be scheduled and held within 72 hours of the matching conference.

If the Managers cannot reach consensus, they will request an **immediate** review, by the **Associate Director of the LCCS Services Division or designee**, which the Managers must attend.

All LCCS staff involved with the appeal process will accept ownership and will share responsibility for implementation of decisions.

General:

In absence of the Associate Director of the LCCS Services Division, appeals/reviews will be heard, in the following order of their availability, by Associate Director of the LCCS Quality Improvement Division, or Executive Director.

PRE-PLACEMENT SERVICES

Prior to the date of adoptive placement, LCCS will provide the prospective adoptive parent(s) with the completed and signed JFS 01667 (Rev. 9/2003), "*Adoption Information Disclosure*" in accordance with rule 5101:2-48-15 of the OAC.

The JFS 01654 (Rev. 10/2001), "*Adoptive Placement Agreement*" will be signed on or before the date of the adoptive placement. The JFS 01654 will be signed by the following individuals and will explain the responsibilities and authority of those who sign it:

- LCCS representative(s);
- Adoptive parent(s);
- Any other PCSA, PCPA or PNA providing adoption services, if applicable, on or before the date of adoptive placement.

A copy of the signed JFS 01654 will be given to the adoptive parent(s) and any other signer of the agreement.

LCCS will not refuse to provide or arrange for services within Lucas County to another PCSA on behalf of a special needs child when such services, if not provided, would cause a delay in the adoptive placement of that child. Such services will include, but not be limited to, homestudy, pre-finalization and post-finalization services and services needed to provide the court with information required for adoption finalization.

If a child is placed with an Ohio adoptive family by LCCS, the PCSA in the county in which the child is to be placed will be notified by LCCS, in writing, of the impending placement no later than ten (10) days prior to the placement. In the case of an infant placement, the notification may be made prior to the birth of the child.

If a child from outside of Ohio is placed with an Ohio adoptive family and LCCS is recommending the adoptive family or has approved the adoptive family's homestudy, LCCS will notify, in writing, the PCSA in the county where the adoptive family resides of the impending placement no later than ten (10) days prior to the placement. In the case of an infant placement, the notification may be made prior to the birth of the child.

If the permanent custody of a child is under appeal through a court of appropriate jurisdiction or awaiting journalization of a court order, LCCS, another PCSA or a PCPA may place the child in a substitute care placement that is certified as a foster home and also approved as an adoptive home, pursuant to Chapter 5101:2-7 of the OAC.

MISCELLANEOUS

If LCCS intends to place a child for adoption with an adoptive family from another county, it will notify the PCSA, in writing, in the county in which the applicant resides. The written notification will be sent, at least, ten (10) days prior to placement of the child and will include the following information:

- The prospective adoptive child's age;
- A description of the prospective adoptive child's special needs;
- The name(s) of the prospective adoptive parent(s);
- The number of children that will reside in the prospective adoptive home, if the prospective adoptive child is placed into the home.

In the case of an infant placement, the notification cited above may be made prior to the birth of the child. This notification requirement does not apply to an adoption by a step-parent whose spouse is a biological or adoptive parent of the minor child to be adopted.

All placement activities will be in compliance with rules 5101:2-42-18.1 and 5101:2-48-13 of the OAC and with the Multiethnic Placement Act of 1994, as amended by Section 1808 of the Small Business Job Protection Act of 1996, 42 U.S.C. 622(b)(9), 671(a)(18), and 674(d) and 1996(b) and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, as they apply to the foster care and adoption process (Title VI).

INDIAN CHILD WELFARE ACT

Consistent with the Indian Child Welfare Act, LCCS gives priority to a child's tribe for placement of an American Indian child over placement with a non-tribal family.

SUPERVISORY PERIOD/LENGTH OF TIME BETWEEN ADOPTIVE PLACEMENTS

The supervisory period will be no less than six (6) months, unless the child has resided in the home previously as a foster child. The child's time in a foster caregiver's home prior to the adoptive placement will count toward the supervisory time required prior to finalization.

The minimum length of time between adoptive placements is thirty (30) days, unless the child being placed is a sibling to the adopted child. No child can be placed in the adoptive home during the supervisory period without the approval of the LCCS Placement Manager.

OPEN ADOPTION

Lucas County Children Services does arrange and support open adoption when it is appropriate and in the best interest of the child who is in need of adoptive placement. LCCS will assess cases for relationships that can and need to be maintained.

Open adoption is an agreement entered by an agency, family-of-origin and prospective adoptive parents regarding the degree and type of communication exchange that will occur during the adoption process and after finalization.

LCCS will assist in developing the above agreement and easing relationship barriers. LCCS will disseminate information and facilitate contact within the parameters of Ohio statutes, rules and regulations.

CASE PRACTICE GUIDES

Consensus is when those involved can live with the recommendation that is before the group.

Consensus implies that a debate has taken place, the solution is generally acceptable rather than grudging compromise, and agreement is deep rooted enough that it can stand for some time without need to revisit the issue.

Consensus is a collective opinion arrived at by agency staff working together in a forum that promotes open communication. The group climate is sufficiently supportive for everyone to feel that they have a fair chance to evaluate information and now can fully support the decision reached by the group.

RELATED POLICIES and FORMS

LCCS Policy 610 *Pre-Placement Visits*

LCCS Policy 701 *Sibling Group Adoptive/ Foster Placements*

LCCS Policy 750 *Foster & Adoptive Home Recruitment*

LCCS Policy 800 *Assessment, Training and Homestudy Process for Adoptive Families*

LCCS Policy 803 *Legal Risk Placement*

LCCS Policy 805 *Post Finalization Services*

ODJFS 01530 *Multiple Children/Large Family Assessment*
ODJFS 01610 *Child's Permanency Planning Data Summary*
ODJFS 01654 *Adoptive Placement Agreement***
ODJFS 01666 *Permanent Surrender of Child***
ODJFS 01667 *Adoption Information Disclosure***
ODJFS 01673 *Assessment of Child Placement (Homestudy)*
ODJFS 01673-A *Child Characteristics Checklist for Foster Care and/or Adoption*
ODJFS 01688 *Individualized Child Assessment*
ODJFS 01689 *Documentation of the Placement Decision-Making Process*
ODJFS 01690 *Documentation of the Pre-Adoptive Staffing and Updates*
ODJFS 01691 *Application for Child Placement***

**JFS form also available in Spanish