

Section 6 Overview

This section is developed to guide resource development workers in decision making, the provision and documentation of services to children and their families, development of community resources, and their subsequent assessment and utilization. These resources are designed to enhance and augment services to children and their families in need of preventive, protective, and out-of-home care services.

Procedures contained in this chapter incorporate assessment standards (largely based on licensing rules) which reflect the concern of the agency for those children who must live apart from their families during some part of their minority. The purpose of these standards is to protect those children from abuse, neglect, injury, and exploitation, and to assist in treatment and improved social functioning.

It is recognized that such direction cannot be all inclusive; therefore, staff will still need to exercise judgment in individual case situations. In those situations in which staff do not follow the procedures, they will be expected to document the justification for their actions in the individual case record.

With each procedure, and each step within a procedure, it may be necessary for the worker to secure supervisory assistance in order to make a decision. The procedures do not contain a reference to worker-supervisor conferences, but this joint decision-making activity is understood to be an integral part of service delivery to community resource providers.

Chapter 8 Overview

This chapter will describe the procedure for court requested/ordered adoptive assessments.

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8.1 Court Requested/Ordered Adoptive Assessment:

Chapter 453, RSMo, allows the Juvenile Court to request/order Children's Division (CD) to complete assessments on families petitioning to adopt a child. If the child was placed prior to a petition being filed, the court is mandated to order CD to complete the assessment.

1. The resource development worker will receive juvenile court request/order for adoptive family assessment and initiate contact with the family within 48 hours if the court ordered an assessment because transfer of custody occurred without a valid court order.
2. The resource development supervisor will request that the court refer the investigation request to a private licensed agency on those assessments where there was a court order transferring custody.
 - a. The resource development Worker will initiate contact within ten days with prospective adoptive family, if court won't refer elsewhere.
3. Begin the assessment process by personal interview with prospective adoptive family.

Related Subject: Chapter 3.2, of this section, Adoptive Family Assessment

4. Compile pertinent historical and current information on the child to be adopted and his/her birth parents.
 - a. Compile information about the circumstances of the child's placement including an interview with the birth parents, especially if the court ordered the assessment because transfer of custody occurred prior to obtaining a court order.
 - b. Interview the child, if age appropriate.
 - c. Interview birth parents, if able to locate.
5. Assess child's physical, mental, racial/ethnic or other conditions pertinent to the suitability for adoption by the prospective family.
6. Assess prospective adoptive parent's suitability to parent the child.
7. Submit a written report to the court within 90 days of the request/order if child was legally placed in the home.

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8. Submit a written report to the court within 30 days of the request/order if assessment was ordered by the court because transfer of custody occurred prior to obtaining a court order.
9. Contact the court, in writing, prior to the date the assessment is due, if after diligent effort, the assessment cannot be completed. Inform court of the reason(s) the assessment could not be completed and when the court can expect it.
10. Provide a copy of the report to family's attorney and child's Guardian ad Litem.
11. Record activities.
12. Close record after submission of the report to the court unless the court requests additional assistance.

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8.2 Guidelines for Court Ordered Adoptive Assessments

Guidelines for Conducting and Reporting a Court Requested/Ordered Adoptive Assessment

The Division may be requested / ordered by the juvenile court to complete an investigation of a family who has petitioned to adopt a child. The requirements relating to these investigations (assessments) are found in chapter 453, RSMo. The court will use the assessment to determine if it should allow the adoption. Therefore, it is important that the assessment be completed in a thorough and timely manner.

Chapter 453 differentiates between a court requested/ordered adoptive assessment where a child has been placed with the prospective adoptive family pursuant to a court order and one where there was no court order prior to the transfer of custody. The length of time staff has to initiate and complete the assessment depends on whether or not the child was placed pursuant to a court order.

In those situations where the child was placed by an appropriate individual/agency, section 453.070, RSMo, mandates that an investigation (assessment) of the adoptive placement be completed and a report submitted to the court within 90 days. The court may direct the Division to complete this investigation.

Section 453.110, RSMo, requires the court to order Children's Division (CD) to conduct an investigation (assessment) and submit a report when a child is placed in the custody of another person/agency before obtaining the court's authority to do so. This section requires CD to initiate the investigation within 48 hours and submit a report to the court within 30 days. The assessment should include the same information as required in section 453.070, RSMo. However, staff should place greater emphasis on the specifics surrounding the placement of the child. Staff should attempt to locate and interview the birth parents. This information will allow the court to determine if the placement was appropriate and if the birth parents agree to the adoption.

Staff may, in the course of their duties, become aware of a child's placement which is not in compliance with the law. In these situations, staff should immediately notify the court and provide any pertinent and identifying information.

Staff should refer to [Section 6 Chapter 3 Attachment A](#) to complete the majority of the adoption assessment and the report. However, the following information shall be added when completing an assessment and report as required under chapter 453, RSMo. If the child has not yet been placed in the home, the information about the child's adjustment in the home can be omitted.

Circumstances of the Child's Placement with the Family:

- a. Original reason and circumstances surrounding the child's placement and when. Was adoption anticipated when the child was placed? Was the plan at the time for the parents to resume custody?
- b. What was the child's health at placement? What was the child's understanding of the reason for placement? How did the child feel about the placement?
- c. Did any money or other considerations change hands at or subsequent to the placement? If so, obtain the particulars.

Identifying Information of the Child and Adjustment to the Family

Description of the Child:

- a. Age, race/ethnicity and birth date;
- b. Physical and mental condition. This should be confirmed by a statement from the child's physician. If the child's condition suggests that a mental or psychological evaluation would be important, this should be requested from the family and results noted in the report. If the family refuses, the court should be provided with this information;
- c. Developmental history;
- d. Special needs and potential eligibility for adoption subsidy.

Describe the child's emotional adjustment in the home and his/her desire to remain.

Describe how the family has met the physical, mental, intellectual and special needs of the child. Describe the child's relationship with each member of the family.

Interview with the Birth Parents

Staff should attempt to make contact with and interview the birth parents, especially when there has been an improper placement. The following information should be obtained:

What was the original reason the child was placed with the prospective adoptive family? What is their current intent regarding the child? Are they aware that the prospective adoptive family wants to adopt the child? What are their feelings regarding this adoption?

Background history and current status including:

- a. Age, race/ethnicity;
- b. Employment and educational history;
- c. Marital status;
- d. General medical and mental health currently and at the time the child was placed;
- e. Life history as it specifically relates to the child's development and decision to place the child for adoption;
- f. Current relationship with the child and the prospective adoptive family;
- g. Other information which will assist the court in determining the parents' situation currently and at the time of the placement;

Have they signed a consent to adoption or any other documents which pertain to transfer custody?

Did they receive any compensation or money for the placement of the child? If so, gather particulars.

Interview with the Prospective Adoptive Family

Related Subject: Section 6, Chapter 2.2.2 Mutual Assessment Process

Staff should gather the following information relating to the family's relationship with the child:

- a. Why is the family interested in adopting the child;
- b. Assess whether or not they can meet the physical, emotional, intellectual and special needs of the child on an ongoing basis;
- c. What is their personal relationship with the birth parents and do they anticipate this relationship will change after the adoption?

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