

# Adoption

ORS 419B.529

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### **1. Court and Citizen Review Board reviews**

After a child's permanency plan has been changed to adoption at a permanency hearing under ORS 419B.476, the court and the Citizen Review Board continue to review the Oregon Department of Human Services (ODHS) efforts to place the child for adoption and complete the adoption process. If the child is legally free and has not been placed, a court review is required every six months. *See* ORS 419B.440(1) and 419B.470(4) and (8). ODHS has agreed to submit an adoption tracking page to the court and Citizen Review Board that provides an itemization of the steps the agency has taken to complete the adoption, as well as the steps that remain uncompleted.

### **2. Completing the adoption after the child is legally free**

After parental rights are terminated or relinquished, the juvenile code allows the court to complete the adoption according to the requirements in ORS 419B.529. If the child is an Indian child under the Indian Child Welfare and Oregon Indian Child Welfare Acts, additional requirements apply. The court should review ODHS efforts to determine whether the child is an Indian child. The court has an obligation to make inquiries about the child's status at any hearing related to the adoption. Consult the [Oregon Indian Child Welfare Act Benchbook](#) for details.

### **3. Assessing ODHS efforts to complete the adoption**

The court and Citizen Review Board should insist on submission of the adoption tracking page to assist the court and CRB in assessing what steps have been completed and what remains to be done. The steps ODHS must take to free the child and complete the adoption are outlined on the next page.

# Adoption Process Flowchart

## Freeing Process

**Critical Elements Addressed**

- \*All legal parties identified
- \*ICWA Inquiry
- \*Relative Search/Engagement
- \*Absent Parent Search
- \*Birth Certificate

**Staffing:**  
With worker, supervisor, LAS and AAG/DDA for adoption approval

Relinquishment | TPR

\*Adoption Referral Packet to C.O.  
\*OR-Kids Adoption Referral opened

Release/Surrender documents issued by C.O.

Release/Surrender documents signed by parent(s)

Affidavits completed (if applicable)

\*To AAG/DDA: digital copy of file and witness list;  
\*To C.O: Adopt. Ref. packet  
\*OR-Kids Adoption Referral opened

TPR Petition filed

TPR trial scheduled/held

Appeal process if applicable

## Placing Process

**Permanency Committee (if applicable)**

- Sibling Planning

**Permanency Staffing (if applicable)**

- \*Relative Caregiver
- \*Current Caretaker

**Identify/Study Prospective Adoptive Families:**

- \*Relatives
- \*Current Caretaker
- \*Adoption Recruitment

ICPC Adoption Study and Approvals (if applicable)

### Adoption Selection Process

**USE APPLICABLE OPTION FROM FOLLOWING:**

- \*Caseworker Adoption Selection after input from child's team and consultation with supervisor
- \*Local Adoption Committee-Adoption Decision Specialist
- \*Central Adoption Committee-Adoption Decision Specialist

Full disclosure of information to adoptive parent

Transition, Placement, Supervision, Support

Placement Designation after all documents to C.O.

Mediation (when possible)

## Finalization Process

Adoption Assistance Application, Negotiations, Agreements

Additional materials needed prior to adoption consent submitted to C.O. (notice of adoption registry, medical records, recommendation to finalize, etc.)

### Legal Adoption Finalization

Consent for Adoption Materials prepared by C.O. and sent to attorney

Petition or Motion for Adoption and Exhibits filed by attorney

Adoption Finalization and Judgment signed