



Checklist for an PRIVATE/INDEPENDENT ADOPTION Request

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Make FIVE Copies of 100A Document for each child with SECTIONS I, II & III completely filled in *** (Refer to 100A Instructions Chart)

- **Section I IDENTIFYING DATA-** ALL fields must be completed***
- **Section II PLACEMENT INFORMATION** - Must reflect FULL NAME, ADDRESS & TELEPHONE NUMBER OF PROSPECTIVE ADOPTIVE PARENT.
- **Type of Care Requested-** Must reflect ADOPTIVE.
Current Legal Status of Child- PARENTAL RIGHTS HAVE BEEN TERMINATED, FREE FOR ADOPTION.
- **Section III SERVICES REQUESTED -Initial Report Requested-** Must reflect ADOPTIVE.
Supervisory Services- Must reflect ANOTHER AGENCY HAS AGREED TO SUPERVISE.
Supervisory Reports Requested- Generally reflects OTHER.
Signature of Sending Agency or Person- Must be signed and dated.

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Assemble THREE Copies of Each of the Following Documents +++ (Refer to NY Requirements Sending vs. Receiving Placement Requests)

- √ **Cover Letter** – Includes certification by a licensed attorney or authorized agent of a private agency or independent entity that the consent or relinquishment is in compliance with the sending state, or where requested the receiving state.
- √ **Birth Mother Consent or Surrender** – Consent to place the child with an identified adoptive parent, independent placement **OR** Surrender to an agency or facilitator-where allowed.
- √ **Birth Father Consent or 111A DRL Affidavit-** If birth father is not identified or he cannot be located or did not sign a surrender or consent, there must be an affidavit from birth mother attesting to the circumstances of conception. If adoption is expected to finalize in NY and there is no birth father consent there must be 111A NYS DRL affidavit by birth mother.
- √ **Adoptive Parent Legal Risk Acknowledgement** - A statement from the adoptive parents acknowledging that due to certain circumstances, explained in the statement, the adoption is at risk of failure. If there is no birth father consent, surrender or termination the statement must include acknowledgement of birth father's rights as a risk.
- √ **Adoptive Parent Home Study** - The study must include a clear recommendation of approval as adoptive parents and verification of background clearances. If clearances are not addressed in the home study, a signed and dated court order, pre-certifying parents must be attached. The study must be completed by an adoption agency or licensed social worker.
- √ **Identification of Supervising Entity** - The agency or individual providing supervision of the adoption until finalization must be entered on the 100A AND must also be provided via the home study or in a statement from the supervising entity acknowledging the agreement to provide supervision. If the adoption is finalizing outside of New York State, the supervision must be provided by a NYS authorized agency.
- √ **Information on Biological Parents** – Social and medical histories on birth mother, both parents, if possible.
- √ **Indian Child Welfare Act (ICWA) Statement** – Acknowledgment that the possibility of any Native American heritage in the birth parents family has been addressed.
- √ **Childs Medical Records or Hospital Discharge Summary** - Information from the hospital or physician regarding the health of the child.
- √ **NY Fee Disclosure Statement, LDSS-4291 (Applies only to requests to NY)** - All fees and payments made by the adoptive parents are listed, to whom the payments were made, and the circumstances of placement explained including how the birth mother and adoptive parents connected. The document must be notarized.
- √ **Verification of Sending Agency's License/Certification Must be Included** -

Mail the THREE copies of the Assembled Packet, with the FIVE copies of the 100As to the NY ICPC.

NOTE: Form 100B must be submitted when placement is made after approval of the request by the receiving state (i.e., the counter-signed Form 100A is received). This will alert the receiving state of the placement and will initiate supervision.

Form 100B is also required to close or withdraw a request.

11/27/12

*****100A Instructions Chart**

NY as Sending State	NY as Receiving State
<p>1. <u>Independent Adoption</u>- NY Birth Mother (BM) consents to place child with Out of state Adoptive Parents</p> <ul style="list-style-type: none"> - BM listed as responsible for planning and financially responsible - BM signs 100A as Sending Agency or Person - Out of state Adoptive Parents are listed as Persons or Facility with which the child will be placed. <p align="center">OR</p> <hr/> <p>2. <u>NY State Agency Adoption</u>- NY BM legally surrenders child to NY Adoption Agency.</p> <ul style="list-style-type: none"> - NY Agency is listed as responsible for planning and financially responsible - NY Agency representative signs 100A as Sending Agency or Person - Out of state Adoptive Parents are listed as Persons or Facility with which the child will be placed. <p align="center">OR</p> <hr/> <p>3. <u>Out of State Agency Adoption</u>- BM legally surrenders/relinquishes child to an Out of state Adoption Agency</p> <ul style="list-style-type: none"> - BM listed as responsible for planning and financially responsible - BM signs 100A as Sending Agency or Person - Out of state Adoption Agency is listed as Persons or Facility with which the child will be placed. <hr/>	<p>1. <u>Independent Adoption</u>- Out of state Birth Mother (BM) consents to place child with NY Adoptive Parents</p> <ul style="list-style-type: none"> - BM listed as responsible for planning and financially responsible - BM signs 100A as Sending Agency or Person - NY Adoptive Parents are listed as Persons or Facility with which the child will be placed. <p align="center">OR</p> <hr/> <p>2. <u>Out of State Agency Adoption</u>- Out of state BM surrenders/relinquishes child to out of state Adoption Agency.</p> <ul style="list-style-type: none"> - Out of state Agency is listed as responsible for planning and financially responsible - Out of state Agency representative signs 100A as Sending Agency or Person - NY Adoptive Parents are listed as Persons or Facility with which the child will be placed. <p align="center">OR</p> <hr/> <p>3. <u>New York State Agency Adoption</u>- Out-of-state BM legally surrenders child to NY Adoption Agency</p> <ul style="list-style-type: none"> - BM listed as responsible for planning and financially responsible - BM signs 100A as Sending Agency or Person - NY Adoption Agency is listed as Persons or Facility with which the child will be placed. <p align="center">OR</p> <hr/> <p>4. <u>Adoptive Entity</u> - Some states (not NY) allow an attorney to adoptively place a child. BM gives consent /agreement to give out of state attorney authority to adoptively place child OR Out of state court appoints attorney guardian for purpose of adoptively placing child.</p> <ul style="list-style-type: none"> - Out of state attorney listed as responsible for planning and financially responsible - Out of state attorney signs 100A as Sending Agency or Person - NY Adoptive Parents are listed as Persons or Facility with which the child will be placed.
Supervising Agency	Supervising Agency
<p>A Supervising Agency is listed on the 100A according to the requirements of the Receiving State.</p>	<p>If finalized in NY: Either a NY approved Adoption Agency or licensed SW or NY Family/Surrogate Court is listed as Supervising Agency on 100A.</p> <p>If finalized in Sending State: A NY approved Adoption Agency MUST be listed as the Supervising Agency on the 100A.</p>

**+++Private/Independent Adoptions
NY Requirements Sending vs. Receiving Placement Requests**

NY as Sending State	NY as Receiving State
Completed 100A: reviewed and signed by sending ICPC state	Completed 100A: reviewed and signed by sending ICPC state
<p><i>if finalized in NY:</i> <u>Birth Mother (BM) NY consent/judicial or extra-judicial surrender AND Birth Father (BF) consent/judicial or extra-judicial surrender</u> or NY Domestic Relations Law affidavit AND <u>Legal Risk Affidavit</u> by Adoptive Parent (AP)</p> <p style="text-align: center;">OR</p> <p><i>if finalized in sending state:</i> Sending state <u>BM consent/surrender</u> AND <u>BF consent/surrender</u> or Domestic Relations Law affidavit AND <u>Legal Risk Affidavit</u> by AP</p>	<p><i>if finalized in NY:</i> <u>Birth Mother (BM) NY consent/judicial or extra-judicial surrender AND Birth Father (BM) consent/judicial or extra-judicial surrender</u> or NY Domestic Relations Law affidavit AND <u>Legal Risk Affidavit</u> by Adoptive Parent (AP)</p> <p style="text-align: center;">OR</p> <p><i>if finalized in sending state:</i> Sending state <u>BM consent/surrender</u> AND <u>BF consent/surrender</u> or Domestic Relations Law affidavit AND <u>Legal Risk Affidavit</u> by AP</p>
Homestudy in last 12 months	Homestudy in last 12 months
NY Clearance Requirements do not apply. Requestors need to follow receiving states requirements.	Proof of background clearances : completing agency submits copies of DCJS and SCR letters OR court order pre-certifying parents, which attests to background clearances and acknowledges SW homestudy.
Medical/Background information on BP	Medical/Background information on BP
Medical information/history of child	Medical information/history of child
Information of BP and AP contact	Information of BP and AP contact
NY Fee disclosure not required. Receiving state's requirements may vary.	NY Fee disclosures Statement: (Placement fees only approvable if charged by New York approved adoption agencies)
ICWA statement	ICWA statement