

cate these facts.

In the past only the mother's wishes were generally considered in the case of an out-of-wedlock child. Section 373.7 of the Social Services Law provides the father of a child born out-of-wedlock with the right to have his religious preferences considered.

If the mother and father separately surrender and sign conflicting religious preference statements the placing agency will be forced to choose between these statements on the basis of practicability and the best interests of the child.

Case work efforts to avoid this may be warranted where they will not unduly delay the surrender of the child. Clarification in advance to each parent that the other also has a right of establishing a religious preference may help avoid such conflicting statements.

- (g) The terms of a surrender and its execution shall meet the requirements of section 384 of the Social Services Law.

Guidelines

Section 384.5 of the Social Services Law provides, that where a surrender agreement so provides, the agreement is not revokable if the child has been placed in the home of the adoptive parents and more than 30 days have elapsed since the execution of the surrender. For this purpose placement shall be required.

to be shown by entering the child's name, date, name of adoptive parents in consecutive order in a "bound volume" i.e., one in which the entries are permanent in their recording. In view of this provision it is absolutely crucial that each agency maintain such a bound volume and that each adoptive placement be entered therein on the date an adoption agreement is signed. The placement during the period prior to legalization, of a child free by virtue of surrender by one of its parents cannot be protected against revocation without such entry into a bound volume.

- (h) Where an agency has occasion to believe that, because of a language problem, the person surrendering the child may not fully understand the surrender instrument or the right to express a religious preference as specified in subdivision (f) of this section or the provision relating to prohibition against proceeding for custody of the child or to revoke or annul the surrender when 30 days have elapsed after the execution of the surrender and the child has been placed in the home of adoptive parents, then the agency shall obtain a separate signed statement (to be included as part of the permanent records of the agency), in a language understood by the person, which shall establish that the agency has fully explained these matters to the surrendering person.

421.7 Termination of parental rights.

When adoption would be in the best interests of a child and a surrendering instrument has not been executed an authorized agency shall petition the court to terminate parental rights under the provisions of section 384-b of the Social Services Law, including the parental rights of the biological father of an out-of-wedlock child when his consent to an adoption would be required pursuant to Section 111 (1) (d) of the Domestic Relations Law.

421.8 Services to Children. Authorized agencies shall:

- (a) recognize that any child who is legally free is adoptable.

GUIDELINES

Children have been adopted who were:

- .17½ years old,
- .within days of death,
- .in institutional care, or
- .extremely retarded.

Every child who can benefit from family living must be considered adoptable and actively receive adoption services. Some children who cannot live in a

family home but require institutional care because of very serious physical, mental or emotional handicaps also can benefit from adoption. An adoptive family in such a case serves as an advocate, a special resource or a visitor and families have adopted on this basis.

- (b) register each legally freed child with the State Adoption Service in accordance with Part 420 of this Title.
- (c) consider each legally freed child's eligibility for adoption subsidy, in accordance with Section 431.7 of this Title.

Guideline

Under Section 453 of the Social Services Law and Section 431.7 of this title, the eligibility for subsidy of handicapped children depends only on their having a handicapping condition which can be expected to make adoptive placement difficult, while the eligibility for subsidy of non-handicapped children depends upon other characteristics. Finding an adoptive home and making placement arrangements is considerably simplified if the determination of the child's eligibility has been made prior to the placement. While recruiting and placement should not be delayed in order to accumulate diagnostic material, there should be an early recognition for the need for substantiation of a diagnosis. If this work is undertaken for handicapped children as soon as they are freed or the plan to free them has been made, placement activities may be eased and speeded.

- (d) keep the length of interim foster care placements of children free for adoption to a minimum, placing such children in adoptive homes as early as practicable.

Guidelines

Not only is it important to minimize the time during which the child who needs adoption is in foster care, but it is at least equally important to minimize the number of different families with whom such a child is placed. Often it is possible to recognize a high likelihood of adoption at the time the child enters foster care or at the time, some weeks after such entry, that he is to be moved from an emergency setting. If the child is then placed with a

foster family who signifies their interest in adopting the child should that become the plan he will be protected against additional replacements. While availability for adoption cannot be guaranteed until the child is freed, this arrangement provides a child with continuity, with adults taking the associated risks. Such a pre-adoptive placement is particularly desirable in the case of infants entering care where there is a substantial likelihood of surrender.

- (e) arrange a medical examination for each child for whom adoption is planned in order to determine the state of the child's health, significant factors that may interfere with normal development, and the implications of any medical problems. The medical report shall be filed with the child's record.

Guideline

The inability to arrive at a complete and final diagnosis and prognosis should not delay efforts to place a child for adoption. There are many conditions in which such diagnosis and prognosis is not feasible within weeks, months or even years. Many adoptive parents are as able as many biological parents to accept and work with the fact that the child's disabilities cannot be so firmly defined. The earliest possible placement with such a family is far more helpful to the child than delay for further medical procedures. The main point is that any family considering adoption should receive all the medical information which the agency has developed. Often it is helpful to arrange for communication between the family, their physician, and the child's physician.

- (f) provide case work services to each legally free child, obtain a current understanding of his or her needs and encourage his or her participation in planning according to his or her age and capacity.

GUIDELINES

Adoption services cannot consist only of recruiting a home for a child. A child for whom adoption is contemplated is urgently in need of casework which will permit him to understand and accept the separations he has already experienced from his biological parents and from any previous foster parents, as well as the impending separation from his current foster parents, if that is necessary. Such "working through" of these separations and the feelings they have left behind are necessary in order to permit the child to "bond" with his new family. Overlooking the need for this casework subjects the placement to substantially increased risk of disruption.

Naturally, the casework has to be adjusted to the child's age and capacity to understand. The work may be done by the foster care case worker or by an adoption worker. Groups may beneficially be used with a number of latency age or teenage youngsters. Adequate work of preparation for adoption is likely to take more casework contacts than called for by 76 ADM 100 for a child who has been in care some time. That guideline is only a minimum.

Since such work with regard to a child's past and status and the related feelings is also beneficial to any foster child, particularly one who has been in a number of different placements over a period of time, it is not necessary to wait until an adoptive placement has been found. If this casework is done with a child for whom adoption is the goal he can come to understand the steps being taken with regard to his legal availability and the finding of an adoptive home and be more willing to consider moving into such a home when found.

(g) provide such legally free child with adoption services, directly or through purchase of service. The following services are to be provided:

- (1) In the case of a child who is photo-listed, evaluation of placement needs, pre-placement planning and preparation with reports thereon at intervals as required by the department, and recruitment, adoption study, training, and placement planning for prospective adoptive parents.

Guidelines

Such reports include, periodic revisions of the photo-listing description as well as photographs to keep the listing current.

- (i) Parent training is activity designed to increase parents' understanding of the dynamics of parent-child relationships, including providing such parents with the information, skills and attitudes needed to integrate an adopted child into the family by responding constructively to the patterns of behavior the child brings from previous homes and uses to test parent commitment, or to ward off closeness and emotional dependency.
- (ii) These training activities may be carried out by the family's adoption worker, other agency personnel, or through sub-contract. This may be carried out in a group process involving and training other applicants or families with whom a child has been placed.

Guidelines

Many families, with sufficient appropriate training, are able to care successfully for adopted children who are beyond infancy, handicapped or otherwise a challenge to a parent. The availability of such training will often enable applicants to consider the care of children who present more difficulties than they had originally requested. In other cases, an applicants' desire for an older child may be, to some extent, unrealistic and training is the step needed to enable the family to fulfill or modify their wish.

Training, thus, is beneficially an integral part of a study process. Additionally, it may be needed and valuable after a placement has been made.

Training activities, however or whenever provided, will be particularly realistic and valuable if parents who have already adopted have an active role and are enabled to share their experiences.

- (2) In the case of a child who is already placed in an adoptive home, parent training, for the parents with whom the child has been placed, supervision and post-adoption services, with reports thereon are required by the department.
 - (i) Supervision is a process involving individual and group interviews to support the mutual adjustment of the child and family, to enable the agency to keep informed on the progress and well being of the child in the adoptive home, and to help the family and child to obtain services that may be needed. Supervision begins on the date a child is placed in a home and concludes on the date of the adoption decree.
 - (ii) Post-adoption services means interviewing, counseling and providing clinical and consultative services for the purpose of insuring permanence of the placement. Such services may be designed to treat problems which developed after the date of the adoption decree. Post-adoption services may extend for three years from the date of the adoption decree for a maximum of 50 hours of services.
- (3) In the case of a child who is not photo-listed because the child is aged 14 or older and refuses adoption, evaluation of placement needs, with reports thereon at intervals as required by the department.

Guidelines

A child who has been placed must be provided with services to support the placement, that is, supervision until finalization and post-adoption services thereafter, as needed.

Children beyond infancy bring with them the effects of previous placements and separations, often guilt for separation from previous parenting figures, sometimes the need to relive such experiences and to provoke repetitions. Such placements need support from the placing agency and can benefit from mutual support among adoptive parents.

The provision of timely, extensive and knowledgeable services from the time of placement may often make the difference between a lasting placement and a painful disruption. It is particularly helpful for services to be initiated at or even before placement rather than awaiting the development of serious problems.

Placement of older children cannot and should not be expected to be problem free. Families must be prepared for the presence of problems so that these will not unduly dishearten them and should be given problem resolution tools in their preparation for placement.

One valuable tool is discussion with other parents. Linking families with others can be done in a number of ways at very little cost and may well continue to prove helpful long after the adoption is finalized and after the period for reimbursible post-adoption services has expired.

421.9 Purchase of Service Contracts.

- (a) All purchase of service contracts between social services districts and an authorized agency caring for children which ordinarily does not provide adoption services must provide for counseling the biological parent or legal guardian concerning surrender of, or termination of parental rights with regard to a child, and the evaluation of a child's placement needs. Adoption services not contracted to be provided by such authorized agency itself, nor through a district approved agreement with another agency, shall be the responsibility of the district to provide directly or through separate contract.
- (b) All purchase of service contracts between social services districts and an authorized agency which provides adoption as well as foster care services must set forth the adoption services to be performed by the authorized agency. The social services district shall be responsible for providing all adoption services not contracted to be provided by such authorized agency.

- (c) All purchase-of-service contracts for adoption services executed by a social services district shall require authorized agencies to maintain records and submit reports as required by the department, and such records and reports shall be in whatever form required by the department. Such records shall be available at all reasonable times for inspection by representatives of the department, and photo-copies of such records shall be forwarded to the department upon request.

GUIDELINES

Where foster care is provided by a non-adoption agency many of these services cannot be provided by the foster care provider. However, this provider is in the best position to work with the biological parents regarding surrender or termination of their rights and to evaluate the child's placement needs.

Where a Purchase of Service foster care provider also has an adoption program it is important that the contract establish who has responsibility for which components of the service. When this is left to a case by case determination, confusion and delays frequently occur.

421.10 Community relations and recruiting. Authorized agencies operating an adoption program shall:

- (a) carry out recruiting efforts specifically directed at communities of populations which have ethnic, racial, religious or cultural characteristics similar to those of the children identified annually by the Department as composing the largest number of waiting children pursuant to section 421.13 of this Part.
- (b) keep the community informed about the development and progress of the program and the needs of the children who require adoption.
- (c) offer information about the program, the need for adoptive homes and the availability of adoption subsidy, to organizations, agencies, media representatives, and other persons who may be a referral source in the community.
- (d) seek to recruit persons with the ability and motivation to serve children in need of permanent substitute family life.

GUIDELINES

Although half or more of the children available for adoption in New York State are school age minority youngsters, most persons approaching agencies to discuss adoption seek white infants and toddlers. Again and again recruiting programs have shown that families who wish and are able to adopt the older, minority or handicapped youngsters for whom homes are needed, can be found and motivated to come forward. But they rarely do so without an outreach effort. As the Department seeks to place children in permanent homes of their own race, religion, and ethnic background, a recruiting effort to find these homes must be carried out.

Each agency is responsible for recruiting for the children identified by the Department as in need, not only for those in the care of that agency. While some districts or agencies have no minority communities in their area, most have some and have a positive obligation to reach out to such community.

Families may fail to come forward because they are not aware of the need, because they still believe in the old myths about the requirements for home ownership, bank accounts and similar rigid barriers, because they doubt their financial ability to adopt, or simply because they do not expect a positive reception from the "Establishment" social services agencies. Effective recruiting requires addressing all these issues. An essential component of the outreach process is a physical one, that of being present in the community from which you want to recruit. Orientation meetings should be conducted in meeting rooms of churches, community centers, or other ethnically identified organizations (Urban League, NAACP, etc.) This added dimension demonstrates good faith and commitment on the part of the agency and begins to reverse any negative image of the agency.

421.11 First contact with prospective adoptive parents. Authorized agencies operating an adoption program shall:

- (a) have an adoption or home finding unit which will accept public inquiries. Inquiries regarding adoption received elsewhere in the agency shall be referred immediately to such unit.

Guidelines

Applicants to become adoptive or foster parents see themselves as resources and strongly prefer not to have to approach the agency in the manner of those seeking services. In addition, the human needs handled daily in Intake Units may readily lead to reduced attention to adoptive applicants who may not be seen as in need of urgent attention.

- (b) respond to inquiries regarding adoption within five business days of receipt of the inquiry and offer an invitation to an individual or group orientation session which shall take place within 30 days of receipt of the inquiry.
- (c) conduct such orientation sessions during evening and other hours convenient to those invited.

Guidelines

When a family approaches an agency to discuss adoption, they are extremely anxious and vulnerable -- they are putting themselves on the line to a very unusual degree. They will usually be tentative about their commitment until they clearly receive a message of acceptance. This is particularly true of minority applicants.

Experience shows that while families come forward, a large number withdraw between the initial inquiry and the initial interview or orientation. The rate of withdrawal is reduced once families have had face to face contact with an agency worker if they are made to feel accepted in that contact. Effective recruiting requires that response be rapid and particularly that the initial face to face contact, whether in an individual or group session, be arranged very quickly.

- (d) discuss the characteristics of the children available for adoption, show New York State's Waiting Children and explain its use at each such orientation session.

Guidelines

Persons inquiring about adoption have varying degrees of knowledge of the characteristics of children available for adoption. Showing them the "blue books" serves a number of purposes:

- .it communicates the characteristics of the children available;
- .if pages on placed children are left in and marked, it communicates that children with these characteristics are, in fact, being placed;
- .it provides the opportunity for families to get interested in these youngsters;
- .it may expand a family's stated interest in terms of age and handicaps.

The availability of maintenance subsidy for each hard to place or handicapped child, regardless of family income, should be stressed at this time.

It is sometimes suggested that where there are healthy young children available for those seeking such children there is no need to show the books. However, the family seeking and receiving a healthy young child may come back in the future for an older or handicapped child if these have been presented. As applicants for babies are low priority, it is valuable for them to have a fuller understanding of the client needs which may cause delay for them.

- (e) discuss the procedures for application and adoption study and the availability of adoption subsidies.
- (f) offer an adoption application form approved by the department at the conclusion of such session.
- (g) inform possible adoptive parents of the following additional information at the orientation session:
 - (1) that married persons, including those separated or living apart, can adopt only as a couple with each partner participating.
 - (2) that pursuant to section 424-a of the Social Services Law the agency will inquire of the department whether the applicant has been or is currently the subject of an indicated child abuse and maltreatment report.
 - (3) that pursuant to section 372-e of the Social Services Law an applicant may apply for a fair hearing if an application is not acted upon by the completion of an adoption study within 6 months or if an application is rejected.

Guidelines

Many children in need of adoption are in foster homes where the parents are separated either legally or de facto. Often the child would benefit from remaining in the home when the remaining foster parent wishes to adopt. If the separated spouse's whereabouts are unknown or he is estranged and uncooperative, adoption cannot proceed. The solution has sometimes been to help the parent to obtain a divorce. If, however, the absent parent is willing to join in the adoption, this could be a solution. In the case of the foster child who has ties with the absent parent to achieve such adoption may be desirable. Other persons inquiring and receiving orientation who are separated, should understand that there is no realistic hope of their adopting in New York State and need not receive an application.

The inquiry under Section 424-a of the Social Services Law is made by submitting a form DSS 3370 to the State Central Registry. This form may be given inquirers with the application, when they have submitted an application, or when the study is initiated. Agencies will wish to keep in mind that it is often not filled out completely unless assistance is given and that it may discourage application because of its level of detail. For these reasons, using the form during the study may be preferable although this creates a risk of delay of the study conclusion.

- (h) mail an adoption application within 30 days of the receipt of the inquiry to persons who have inquired, been invited, but failed to attend an orientation session.

Guidelines

There is a great deal of benefit from providing orientation to inquirers regarding the kinds of children available, the procedures to be used, the information which will be needed, etc. before giving them an application. Nonetheless, some serious inquirers cannot or will not avail themselves of such orientation possibilities, for legitimate scheduling reasons, because they have or believe they have already been through this process at another

time or place or for other reasons. A repeat invitation or other follow up is appropriate. However, whether a repeat invitation is issued or not, the inquirer must be sent an application 30 days after the inquiry.

If the orientation invitations are offered in a sufficiently positive spirit and with sufficient consideration of the inquirers' schedule constraints, the number of completed applications from persons who have not received orientation will be minimal.

(i) develop a record for each person inquiring about adoption which contains:

- (1) a dated record of the inquiry, whether received by mail, telephone, or in person;
- (2) a dated copy of the invitation to an orientation session;
- (3) a dated copy of the written acknowledgment of the inquiry;
- (4) a dated record of all further communication, whether by letter, telephone or in person.

Guidelines

Such a record need not be an individual folder for each inquirer. All necessary material for inquiries arriving on one day, week or month (depending on volume) may be kept together. A modified correspondence log could list all inquiries and copies of letters could be attached. In large volume agencies, a 3 x 5 card to be filed alphabetically could assure the ability to access the material readily. Many arrangements are possible which can provide evidence that necessary communications were sent and which permit further tracking concerning whether and when the inquirer received and submitted an application.

- (j) retain such record, if no completed application is filed, for twelve months after the last communication.

Guidelines

Agencies have usually kept good records regarding applicants, that is, persons submitting completed applications. This regulation requires equally reliable (though not extensive) records regarding each person inquiring. Some, perhaps many, will not be serious, not attend meetings nor file an application. Recording their name and address and particulars of the few and brief contacts is not laborious. With the aid of a reproduction machine such records can readily be filed both by date and alphabetically. Records which have been inactive for 12 consecutive months can be discarded.

421.12 Application.

- (a) Authorized agencies operating an adoption program shall use an application form approved by the department to elicit the following information from adoptive applicants:
 - (1) name, address, and other necessary identifying information.
 - (2) age, race, and religion of members of the household.
 - (3) whether applicant is a certified or licensed foster parent.
 - (4) characteristics of child (ren) sought to be adopted.

Guidelines

Historically, applications have asked for more information, but since further details will be discussed face to face during the study process, requiring any additional information in the application serves no useful purpose and can be counterproductive in decreasing the number of applications received from persons not comfortable with pen and paper.

- (b) Authorized agencies shall develop a record for each adoptive applicant which shall include, but not necessarily be limited to:
 - (1) record of inquiry maintained in accordance with subdivision (i) of section 421.11.
 - (2) the application, medical report, references.
 - (3) summary of interviews with applicant and of visit to applicant's home.
 - (4) summary of agency conference which clarifies the basis for each decision that affects the applicant's status with the agency.
 - (5) copies of all correspondence with the applicant.

Guidelines

It is important that all entries be dated and the dates of events recorded clearly identified since these aspects may become a fair hearing issue.

421.13 Application Acceptance.

- (a) Authorized agencies operating an adoption program shall accept for adoption study persons who have completed applications, on a priority basis, as follows:

- (1) On or about April 1st of each year the department will determine the age, race, handicap, and other significant characteristics of the largest proportion of waiting children. Applicants seeking children having these characteristics and foster parents seeking to adopt a child who has resided in their home 18 continuous months, shall receive first priority for adoption studies.
- (2) Second priority shall be given other applicants seeking to adopt photo-listed children who do not have the characteristics of the largest proportion of waiting children as determined by the Department, or children currently available for adoption in the care of the agency to which application was made for whom there is not a waiting list of approved families.
- (3) Lowest priority shall be given all other applicants, i.e., those expressing an interest in adopting children such as healthy young children who are not photo-listed, if such children are not immediately available for adoption in the care of the agency where the application was made.

Guidelines

For a number of years the reality of the adoption picture in New York State has consisted of many more applicants for relatively healthy young children than there are children in need of adoptive homes and relatively far fewer applicants interested in adopting the older or handicapped child or sibling group. From time to time agencies have closed intake to the first kind of applicants. More often these have been studied and approved but have not had children placed with them. Both situations have resulted in frustrated prospective parents who frequently found it very difficult to understand and accept their apparent rejection. Equally or more painful has been the result of spending scarce staff time on studying families for whom no children were waiting, for this has inevitably meant less time to recruit and develop the other kinds of families who would be resources for the waiting children.

The establishment annually of state priority groups, based on the needs of the waiting children, should make it easier for agencies to explain and families to accept the delay in study if the child they seek is not in this priority group.

In many agencies the third priority applicant who seeks a healthy young child has no chance at all of being reached and this should be honestly and tactfully explained in the letter.

- (b) Authorized agencies shall acknowledge in writing, within ten (10) working days of receipt, each completed application. Each applicant shall be informed that his/her application will be acted upon as follows:
 - (1) Acceptance of first priority applications for immediate study, including a date for first appointment to be not more than 30 days from receipt of completed application and the name and telephone number of an agency staff person he can contact during the interval.
 - (2) Acceptance of second priority applications for action in accordance with paragraph (2) of subdivision (a) of this section, giving an estimate of when a study may start and the name and telephone number of an agency staff person he can contact during the interval.
 - (3) Remaining applications for action in accordance with paragraph (3) of subdivision (a) of this section, and stating whether there is any likelihood of an adoption study being granted.
- (c) It shall be stated in writing that any delay beyond 6 months is based on lack of need and the person shall be notified of his rights to a fair hearing and his right to remain on a waiting list.
- (d) Authorized agencies may refer an adoption applicant to another agency prior to the initiation of the adoption study when:

- (1) the applicant has expressed interest in a specific photo-listed child determined to be in the care of that agency, and
- (2) the applicant has indicated willingness to be so referred. If such referral is not accepted by the applicant, completion of the adoption study shall not be delayed beyond the periods required under section 421.14 of this Part.

Guidelines

This provision is likely to be applicable only in a limited number of cases. If the applicant's residence and the agency caring for the identified child are in the same district or otherwise geographically close, such a referral may make sense and be acceptable to the applicant. In cases where such a referral would create inconvenience for the applicant it should not even be suggested, as it will be perceived as a rejection and may result in the applicant's premature withdrawal.

Further it should be recognized that the specific child identified will not be the only one for whom the applicant may become a resource once approved.

421.14 Waiting Lists.

- (a) Authorized agencies operating an adoption program shall maintain separate lists of 1st, 2nd and 3rd priority applicants waiting for adoption study.
- (b) Each such waiting list shall contain the name of each such applicant, the date the completed application was received by the agency, and the characteristics of the child the applicant seeks to adopt. Authorized agencies shall:
 - (1) offer first priority applicants an adoption study to start within 30 days of receipt of a completed application and be completed within six (6) months of receipt of the completed application.
 - (2) offer second priority applicants an adoption study to be completed within six (6) months of receipt of completed application;
 - (3) give priority to first priority applicants in the initiation of adoption studies, the assignment of staff, the scheduling of individual and group appointments, and of conferences to review studies and make decisions.

GUIDELINES

Waiting lists for study must be maintained separately for the three priority groups. First priority applicants must have a study started within 30 days of submission of a complete application. There is thus virtually no place for a waiting list for this group at all.

There is no requirement for a starting date for the study of 2nd priority applicants but they, like the 1st priority, are required to have a study completed within 6 months of application. There is no requirement to serve persons on this waiting list in the precise order of application if the characteristics of specific waiting children or the ability to group applicants with similar interests would be best met by some other order. Yet, since the study must be completed within 6 months from application there is not much time to maneuver nor is this list likely to get very long.

Occasionally persons may indicate that they are available for children in various levels of priority. This is not to be handled by listing them simultaneously on more than one waiting list. Rather, a determination should be made as to the applicant's central interest at this time.

- (c) Authorized agencies shall offer studies to applicants on the 3rd priority waiting list only in order of receipt of the completed application.
- (d) Authorized agencies shall contact applicants on the 3rd priority waiting list at least once a year, invite them to a meeting to discuss the characteristics of waiting children, and to ascertain continued interest in remaining on the waiting list.

Guidelines

Thrid priority applicants may be rejected for "lack of current need" and nonetheless remain on a waiting list which entitles them to annual meetings and studies in order of their application. This procedure permits the family to be clearly informed that there is "no need" and the rejection is a definitive enough reaction to entitle them to a fair hearing as required by law. At the same time, as some such studies will eventually be needed, it is only fair to offer them in order of application rather than creating a need for constant reapplication. Annual meetings will reduce the applicants' sense of hopelessness and maximize the chance that they will shift their interest to waiting children.

It should be recognized that agencies now have waiting lists for study of persons seeking rarely available healthy young children. These lists may continue to be used until exhausted, ahead of the persons currently applying for such children, regardless of whether applications had been taken from such persons or they were placed on a waiting list without application.

In either case, it is important that there be a clear record of their having been placed on this list prior to the effective date of these regulations.

- (e) Authorized agencies shall maintain separate waiting lists for each priority group of families whose studies have been completed and approved.

Guidelines

Separate waiting lists will permit monitoring of efforts to recruit and serve families with characteristics needed for the majority of waiting children. First priority families once approved should not experience much wait. If they do, there is a need for the agency to re-examine its study process, its family summary content and format or its procedures for informing families about photo-listed children. Generally speaking, long waiting lists of approved families in any category may reflect inappropriate task distribution within the agency.

- (f) Authorized agencies shall invite all approved families on waiting lists to an orientation meeting at least every six months at which the kinds of children waiting, the kinds of families given priority and these families' preferences shall be discussed.
- (g) Authorized agencies shall permit families to change the information on their expression of interest at any time and adjust their priority group using the date of the change as the date of new application.

Guidelines

Families should not be able to obtain priority on the basis of claiming interest in a hard to place child and then change their interest to the kind of child which would not have entitled them to such priority. Such a change should be considered a new application.

421.15 Adoption Study Process.

Authorized agencies operating an adoption program shall:

- (a) conduct an adoption study process in groups, individually, or in any combination thereof. Such adoption study shall include at least one visit to the applicant's home.
- (b) in at least one session in any study process containing two or more group sessions, include the participation of parents who have adopted a child.

Guidelines

While individual agency circumstances vary and there is not enough information to require specific methods for the study, it is recognized that group studies often offer many advantages:

.efficiency -- even where a group has a leader and co-leader and is limited to 4 couples or 5 or 6 single persons there may be a saving of staff time;

.understanding gained -- the understanding of an applicant gained from watching him in interaction with others in the group adds a great deal to that gained from individual interviews;

.mutual support -- such a group is a natural lead into adoptive family mutual support groups. They can continue to meet and support each other during the pre-placement and post-placement periods and become particularly valuable after adoption.

A group study and preparation process provides a good opportunity to introduce applicants to persons who have already adopted. Interaction with such persons adds a very significant dimension to preparation for adoption.

Not all persons who have adopted will be interested in participating in this role but many will. In order to be helpful, they need not have had a problem-free experience but should be able to see the problems they have had or may still be having in context and with some hope.

- (c) inform applicants at the first appointment or meeting that the following will be required prior to the conclusion of the adoption study:
 - (1) report from a physician about the health of each member of the household;
 - (2) references from 3 persons, at least 2 of which shall not be related to the applicant (s);
 - (3) if married, proof of marriage;
 - (4) if previously married, proof of dissolution of marriage by death or divorce;
 - (5) evidence of employment and salary, such as W2 form or pay stub for each employed applicant; and
 - (6) a report from the department on an inquiry regarding an indicated child abuse or maltreatment report;

- (d) determine compliance with all of the criteria set forth in Section 421.16 of this Part, explore each applicant's ability to be an adoptive parent, and discuss the following topics:
 - (1) characteristics and needs of children available for adoption;
 - (2) principles related to the development of children;
 - (3) reasons a person seeks to become an adoptive parent;
 - (4) the understanding of the adoptive parent role;
 - (5) the person's concerns and questions about adoption;
 - (6) the person's psychological readiness to assume responsibility for a child.
 - (7) the attitudes that each person in the applicant's home has about adoption and their concept of an adopted child's role in the family;
 - (8) the awareness of the impact that adoptive responsibilities have upon family life, relationships, and current life style;
 - (9) a person's self-assessment of his/her capacity to provide a child with a stable and meaningful relationship.
 - (10) the role of the agency in supervising and supporting the adoptive placement.

- (e) when an adoption study has been completed and an authorized agency intends to approve an applicant, it shall:
- (1) Prepare a written summary of the study findings and activities, including significant characteristics of their family members, the family interaction, the family's relationship to other persons and the community, the family's child rearing practices and experiences, and any other material needed to describe the family for adoption purposes, to be submitted to workers in the agency or other agencies responsible for making placement decisions about children.
 - (2) arrange for the applicant(s) to review this written summary with the exception of any comments by references which have sought confidentiality.
 - (3) encourage the applicant(s) to express their views on the substance of any significant aspect of the written summary;
 - (4) give applicant(s) the opportunity to enter their reaction as an addendum to the written summary;
 - (5) arrange for the applicant(s) and the caseworker to sign the summary after it has been reviewed and any addendum has been attached.
 - (6) provide a dated written notice of approval to applicant.

GUIDELINES

Sharing the summary of the study with the applicant is relatively new for most agencies. It should be noted here that Department regulation Section 443.3(g) requires that approved foster parents review, react to, and sign the entirety of their completed studies and that when an adoptive applicant is rejected the entire study may be explored in the fair hearing process.

Having the family review the summary serves several purposes:

- .If the summary represents the family in a way which they do not recognize and accept (even if positive) placement plans built on this base are unlikely to succeed.
- .The summary will be shared with other agencies and should not make statements about the family which they reject and find offensive;

If the summary appears unduly negative to the applicant it is likely to appear the same way to other agency staff and result in no child being placed. Such a summary may represent consciously or unconsciously, an intent to disapprove and reconsideration will be beneficial.

Although in some cases a summary is not needed for inter-agency purposes, as where a child from the same agency has already been identified for placement with the family, a summary will be required unless the agency prefers to share the entire study with the family. While that would meet the requirements of this paragraph it might cause excessive constraint in the recording of the study process.

(f) discontinue a study process only by mutual consent.

- (1) the applicant's record shall reflect the discussion leading to such mutual agreement to discontinue; and
- (2) the applicant shall be informed in writing of the discontinuation of the adoption study.

GUIDELINES

It is important to recognize that a discontinuation to which the applicant does not agree is, in effect, a rejection, and must be handled so as to entitle him to the procedural rights provided by Section 372-e of the Social Services Law and Section 421.15(g) of this Part.

(g) Reject an applicant.

- (1) during a study if his lack of cooperation does not permit the study to be carried out.

GUIDELINES

Occasionally an applicant is so ambivalent (or a couple has such differences) about whether to adopt that appointments are regularly broken, documents not produced, and the applicant does not cooperate with the process. An agency should make allowances for vacations, ill health, employment requirements, as well as poor memory and difficulty in dealing with formalities. At some point, however it becomes wasteful of staff time to continue and a rejection is necessary.

- (2) if it is determined after a thorough adoption study based on casework principles that he is
 - (i) physically incapable of caring for an adopted child,
 - (ii) emotionally incapable of caring for an adopted child, or
 - (iii) that his approval would not be in the best interests of children awaiting adoptions;

Guidelines

It is difficult if not impossible to spell out the circumstances in which the above findings would be appropriate. Any list of conditions or circumstances would inevitably be unable to consider the way such circumstances interact to strengthen or weaken a family's ability to care for an adopted child. Such a decision must be shown to be based in information related to the study discussion areas listed in Sections 421.15(d) and in 421.16(a) of this Part. The way the lack of such abilities was shown in the study should be clearly recorded.

- (3) A decision to reject an applicant shall be made by at least two staff members in conference, one of whom shall be at a supervisory level;
- (4) The record shall reflect the names of the participants in the decision and the reason for the decision;
- (5) The agency shall inform the applicant in writing that he has not been accepted, stating its reasons for rejection;
- (6) The notification shall offer the applicant the opportunity to discuss this decision in person with the worker's supervisor;
- (7) The notification shall inform the applicant that he may apply for a fair hearing pursuant to Section 372-e of the Social Services Law and state the procedure to be used for this purpose.

Guidelines

It is desirable to explain the rejection in a face to face interview but such interview may not substitute for the required written notification. If the interview included the worker's supervisor the letter might offer a further interview with a higher level staff member.

It is essential to tell applicants clearly that they have been rejected rather than to let them believe a study is still continuing or that they have been approved but are just not getting any children.

Many applicants become aware of those personal characteristics that make successful adoptive parenthood unlikely and withdraw. Applicants who close their eyes to these findings throughout the study process are frequently those with the most serious intra-psychic and inter-personal deficiencies. It is necessary to give them a true and significant reason for their rejection and to avoid the mechanical excuses such as length of marriage and working status, which have angered applicants over the years. A full picture should be in the record even if only part of the reason is presented to the family.

(h) conclude an adoption study process in either discontinuation, rejection, or approval within four months of initiation:

- (1) except where illness or geographic absence of the applicant makes him/her unavailable for a substantial part of said four-month period. In such a case, the record shall clearly show such unavailability and what efforts were made to contact the applicant.
- (2) Provided, however, where an adoption study has been interrupted by unavailability of agency staff, the period of four months may be extended, but to not more than six months, if the applicant agrees to such extension in writing. If the applicant agrees to delay in order to avoid case worker change, the record must show when this agreement was obtained. If the applicant does not accept such delay, the study must be concluded within the four months through the utilization of substitute staff or purchase of service.

Guidelines

SSL Section 372-e provides for a fair hearing for any adoption applicant who is rejected or whose application has been neither accepted nor rejected

within 6 months of the application. In addition, the regulation, provides that an adoption study of a 1st or 2nd priority adoption applicant be completed within 4 months of its initiation, namely the date of the first interview.

It is important to record a home study process within a short time of each interview. If the applicant seeks a fair hearing because of failure to be accepted or rejected within 6 months of application, a clear record of a partially completed and on-going study should prove helpful. The absence of up-to-date recording would certainly raise questions about any assertions by the agency that the study was on-going and proceeding.

421.16 Adoption Study Criteria:

See pages 8-27 above

421.17 Finding a child:

(a) Authorized agencies shall:

- (1) Have available at least one current set of New York State's Waiting Children in every facility where adoptive inquirers or applicants are served;
- (2) Keep such books up to date;
- (3) Show these books to all adoption inquirers and applicants at orientation meetings and subsequent contacts;
- (4) Make these books available to inquirers and applicants at all times during regular business hours;

(b) Authorized agencies shall establish written procedures for the use of New York State's Waiting Children, such procedures shall set forth agency policies on:

- (1) whether the applicant or agency staff will inquire of the Adoption Service about photo-listed children;
- (2) under which circumstances the applicant will be encouraged to inquire of the agency caring for a photo-listed child about that child's continued availability;
- (3) whether the responsibility for continued worker/family contact about the availability of photo-listed children, the exchange of information between agencies, and placement planning, shall be the worker's or the family's.

- (c) Authorized agencies operating an adoption program shall inform applicants of the procedure for use of New York State's Waiting Children by:
- (1) giving a copy of the procedure to applicants at the first adoption study meeting or interview;
 - (2) explaining the procedure during the study process; and
 - (3) including a copy of the written procedure with the letter of approval for adoption.
- (d) The procedure required pursuant to subdivision (b) of this section shall contain time limits of not more than ten days for each communication step to be carried out by the agency.

GUIDELINES

It is vital that approved 1st and 2nd priority applicants be assisted with a clear workable process for finding children through the blue books. While some 2nd priority applicants may be seeking children who, although photo-listed, are rare relative to the demand for them, there must be no difficulty introduced by confusion of responsibilities, delay or lack of communication.

There are a variety of methods which may be used to organize the necessary communication between applicant, agency, photo-listing books and children's agencies. Attached are a number of model procedures. These or other approaches will work provided all agency staff is clear about them and families are clearly informed about what is expected of them.

Many agencies have been reluctant to make the photo-listing books fully available to families as required herein, because of a belief that families cannot understand or accept the listings without help. Generally, families will be able to benefit from simply spending time alone examining the books and will often be able to identify many children about whom they wish to inquire without requiring staff input to this end. Given a clear procedure the family can inform their worker about the children in whom they are interested and about whom they will call the Photo-Listing Service or wish to have the agency do so. This communication can take place on a simple form left for the worker, rather than requiring an appointment.

Once an interest has been expressed, rapid follow up is needed at each stage in order to reduce the time that families and children wait. Families are often interested in many children. This is entirely appropriate. Many families are willing to help save staff time by making the initial calls themselves. Where this is acceptable to agency and family, it is important to orient the family regarding the nature of the photo-listing inquiry process. If families have been informed in advance that the child's agency should only be expected to verify the child's availability and to exchange summaries, they will be less likely to engage that agency's staff in long and possibly inappropriate conversations or to be disappointed because the child's agency does not describe the child in detail over the phone.

Where the agency does not wish the family to make these calls or the family feels unable to do so, it is the agency's responsibility to get them made promptly and to keep the family informed of progress. Such information keeps the family involved in the process, assures that they look at the books again if needed and reduces their frustration. The initial calls to Photo-Listing Service, children's agency, and then reporting to the family do take time and this is where volunteers may be able to provide a valuable service.

However this procedure is organized, a great deal of misunderstanding and frustration can be avoided by having and sticking with a written procedure.

- (e) Receipt of a Form DSS 2705 New York State Adoption Service Report of Inquiry Received by an authorized agency for a child in their care shall initiate a process of exchanging summaries describing the child identified on the form and the adoption study of the approved adoptive applicant between the receiving agency and the agency making the inquiry.

Guidelines

The importance of having a summary of the child available, typed and ready to mail when the child is photo-listed cannot be overstated. Since freeing a child for adoption usually takes time, it is possible to have the material ready as soon as the child is freed and required to be photo-listed.

- (f) Authorized agencies receiving a form SDSS 2705 New York State Adoption Service Report of Inquiry Received for a child in their care shall respond in writing to the agency making the inquiry within ten days of receipt of the form by either sending a summary describing the child identified on the form to the inquiring agency or by responding that: a summary describing the child is not sent because:
- (1) the child has been placed;
 - (2) the child's placement is currently being planned;
 - (3) a number of summaries are currently under consideration for this child;
 - (4) another reason why this family will not be considered for this child.

- (g) Authorized agencies receiving a summary of an adoption study of an approved adoption applicant from another New York authorized agency shall respond in writing to the agency which sent the summary within ten days, unless a response to the agency for the same applicant has been made pursuant to subdivision (f) of this section. Such response shall include a summary of the child or a response that a summary of the child has not been sent because:
- (1) the child has been placed;
 - (2) the child's placement is currently being planned;
 - (3) a number of summaries are currently under consideration for this child;
 - (4) another reason why this family will not be considered for this child.

Guidelines

Frequently, delay has been reported in following up on inquiries regarding photo-listed children because of the absence of summaries on child or family ready to exchange. Section 421.15(e) of this Part assures that there will be a summary of the family ready to photo copy and send. A similar summary of a child must always be available for every photo-listed child.

Agencies have sometimes preferred to have workers discuss a possible match on the telephone prior to deciding to send out summaries. Given the delays in locating the proper person with whom to discuss this, and the possibilities that all the really relevant aspects of the summary will not become part of the telephone conversation, this is a false economy. Sending out a copy of an available summary immediately upon receipt of the inquiry will put more relevant information in the hands of all staff who participate in the decision process more quickly and accurately.

421.18 Special provisions for adoptive placement. Each authorized agency shall:

- (a) prior to placement of a child for adoption, inform the prospective adoptive parent of the procedures necessary for finalizing an adoption;
- (b) make an effort to place each child in a home as similar to and compatible with his or her ethnic, racial, religious, and cultural background as possible with particular recognition that Section 373(3) of the Social Services Law requires a court, when practicable, to give custody through adoption only to persons of the same religious faith as that of the child.

GUIDELINES

Such efforts must be diligent and go well beyond the required photo-listing. Regional exchanges, specialized agencies, child-specific newspaper, radio and TV recruiting and presentation to organizations sharing characteristics with the child (such as the Association of Black Social Workers, the Council of Adoptable Children's Hispanic Program) are among the methods which should be tried and demonstrated before reaching a decision that a suitable family of similar characteristics is not available. Such efforts will almost always result in appropriate families being found. At least in the case of school age children who have some awareness of their family identity, such efforts should include exploration of possible resources in the child's extended family. The regional office adoption specialists are available to assist you in developing these approaches.

- (c) make placement decision on the basis of the needs of the specific child and of the individual characteristics of the parent(s), including but not limited to:
 - (1) consideration of the appropriateness of placement in terms of the age of the child and of the adoptive parent(s), and
 - (2) consideration of the physical and emotional needs of the child in relation to the characteristics, capacities, strengths and weaknesses of the adoptive parent(s).

- (d) prior to the initial visit, insure that the potential adoptive parent(s) have opportunity to discuss and be fully informed about the child;
- (e) arrange the initial visit of the child with the prospective adoptive parent(s) at a time and place convenient for all;
- 7 (f) insure that placement occurs when child and parents are ready;
- (g) arrange for contact between the adoptive parents and the caseworker within five working days after placement;

Guidelines

Effective supervision and support for a new adoptive family, of course, goes well beyond this specific requirement. In the adoptive placement of children beyond infancy, appropriate family support is probably the key to maintaining a placement. Such support is often more easily provided where family study and preparation have included group processes in which prospective families have come to know each other, support each other and explore more fully the various aspects of creating a new family unit through adoption.

Whether or not there has been such a process the agency will need to make sufficient staff time available to work with families through the inevitable problems before these become disabling and provide assistance and structure for adoptive families to come into and remain in contact with each other.

- (h) offer a personal interview to a family who has refused a child in order to identify their reasons for refusal and to clarify their adoption plans;
- (i) at the time of placement require the adoptive parents and a duly appointed agency representative to sign an adoptive placement agreement that shall contain a statement of rights and responsibilities of the parents and the agency;
- (j) at the time of placement enter the following information about the placement in a bound book in accordance with subdivision 5 of section 384 of the Social Services Law:
 - (1) the date of placement
 - (2) the date of the placement agreement
 - (3) the names and addresses of the adoptive parents
 - (4) the first name of the child

421.19 Foster Parents:

(a) Authorized agencies shall:

- (1) inform foster parents that a child in their care is free or to be freed for adoption and of the procedure for applying to adopt the child;
- (2) conduct group and/or individual meetings with foster parents to review the legal difference between foster care and adoption and the availability of adoption subsidies.

(b) Authorized agencies shall offer an adoption application to foster parents or refer them to an authorized agency which operates an adoption program when:

- (1) a child in their care for 18 continuous months is surrendered or parental rights are terminated;
- (2) a plan to free a child is made for a child who has been in their home for 18 continuous months.

GUIDELINES

This is an appropriate opportunity for determining whether the foster parents wish to adopt. Many agencies use a waiver statement by which foster parents who do not wish to adopt make such a declaration in writing. Although such a statement may not affect a foster parent's legal right to receive first consideration if he later changes his mind, a discussion offering an adoption application or a waiver form may be helpful in eliciting an early decision.

When a plan is made to free a child who has been in the home 18 months it may appear too early to offer the family an adoption application if an extensive court process is anticipated. It is not too early, however, to attempt to determine whether this family will be willing and able to adopt when the time comes and, where the answer is negative, to place the child in a home which can become a permanent home. If a move will be necessary, the sooner the better. It may seem preferable to delay, hoping that a move will not finally become necessary, but it would be far better to obtain a clear commitment from the foster parents at this time and to address whatever concerns they have that produce hesitation.

- (c) Authorized agencies operating an adoption program shall accept an adoption application from a foster parent seeking to adopt a child who has been in his home for less than 18 continuous months. Such applicants shall be studied according to the priority system specified in subdivision (a) of section 421.13 of this Part.

GUIDELINES

Where a child who has become free has not been in his current foster home for 18 months an application must be given the foster parents if requested. The action required upon receipt of a completed application depends upon the child's characteristics and the priority this provides the applicant. If the child has been photo-listed the applicant will have 2nd priority.

If the plan is to place the child elsewhere and the child is not photo-listed the applicants may have only 3rd priority as there is no need for them. In such a case it is desirable to be clear with foster parents that the plan is to move the child as soon as he is free and to carry out that plan with a minimum of delay. It may often be even more desirable to place the child initially in the home which is to be the adoptive home, by making a placement at legal risk.

- (d) Authorized agencies operating an adoption program shall acknowledge in writing a completed adoption application from a certified or licensed foster parent within 10 days of receipt.
- (e) Authorized agencies operating an adoption program shall assess and prepare foster parent adoptive applicants as rapidly as possible, as follows:
 - (1) review the information about the family
 - (i) obtained in the original foster home study;
 - (ii) obtained in annual recertification; and
 - (iii) available to agency case workers supervising the home and the child at issue;
 - (2) identify those items of information needed in an adoption study which are lacking or insufficiently current;

- (3) identify those areas of family functioning which may need further exploration or strengthening; and
- (4) conduct an adoption study process which:
 - (i) does not repeat information gathering activities with regard to information already available;
 - (ii) obtains additional or up-dated information as rapidly as possible;
 - (iii) focuses on areas identified as needing further exploration or strengthening; and
 - (iv) clarifies for the applicant the difference between foster care and adoption and the issues involved in obtaining an adoption subsidy.

GUIDELINES

New references will normally not be needed. Application to the Central Registry pursuant to Section 424-a of the Social Services Law will be needed, at least for foster parents who were certified prior to this requirement. Thus applicants should be given help in filling out DSS form #3370 and reassured as to the basis for the requirement.

- (f) Authorized agencies operating an adoption program shall complete the adoption study process of foster parents whose studies have been initiated in accordance with the priority scheme specified in subdivision (a) of section 421.13 of this Part, in approval, discontinuation, or rejection within the following time limits:
 - (1) within two months of receipt of the completed application for a child who is legally free.
 - (2) within four months of receipt of the completed application where the child is not yet legally free, but in no event more than two months after the date the child becomes legally free.
- (g) Authorized agencies shall:
 - (1) reject an applicant foster parent during or at the conclusion of the study only in accordance with subdivision (g) of section 421.15 of this Part;
 - (2) in its letter of rejection indicate that the child is available for adoption by other persons and will immediately be photo-listed;

- (3) if the removal of the child from the foster home is not initiated within three months of rejection, document in the child's record the specific reasons why the family continues to be acceptable as a foster family for this child although not acceptable as an adoptive family for the same child;
 - (4) document in the foster family record, if recertification is granted, why the home continues to be suitable for foster care and not for adoption.
- (h) Authorized agencies:
- (1) shall only discontinue the study of a foster parent applicant only by mutual consent as specified in subdivision (f) of section 421.15 of this Part;
 - (2) shall state in the letter indicating discontinuation that the child is available for adoption by other persons and will immediately be photo-listed.

GUIDELINES

Foster parent adoptive applicants, just like others, are entitled to a fair hearing if they are rejected or their study is not concluded within 6 months of their application.

- (i) Authorized agencies approving a foster parent for adoption of the child in their home shall:
 - (1) give approval in writing;
 - (2) if the child is legally free at the time of approval;
 - (i) accompany the approval letter with an adoption agreement and, if appropriate, an adoption subsidy agreement;
 - (ii) inform the parent that if the adoption agreement is not signed and returned within one month of the date of the approval letter their application shall be considered withdrawn and the child will be photo-listed;
 - (iii) inform the parent in writing that if they fail to petition the court to adopt the child within three months of the date of the approval letter their application shall be considered to be withdrawn, their agreement abrogated and another home will be sought for the child by photo-listing and other means;
- (3) If the child is not free at the time of approval, so indicate in the approval letter, and notify the foster parent in writing when the child becomes free, and accompany said notification letter with:

- (i) an adoption agreement, and where appropriate an adoption subsidy agreement;
 - (ii) a statement that if the adoption agreement is not signed and returned within one month of the date of the notification letter the adoption application shall be considered withdrawn and result in the child's being photo-listed;
 - (iii) a statement that if the petition to the court to adopt the child is not filed within three months of the notification letter the adoption application shall be considered withdrawn, the adoption agreement abrogated and another home will be sought for the child by photo-listing and other means.
- (j) Removal of a child from foster family care shall comply with section 431.10 of this Title.

Guidelines

Foster parents are the single most productive adoptive resource for the children in foster care and every effort must be made to inform them as soon as possible of the plan for the child to obtain their active participation in this plan.

Home studies should be accelerated as much as possible and simplified, avoiding duplication of data current and on hand. Delays in achieving a permanent placement must be avoided whether they stem from indecision by the family or the agency or any other cause.

Foster parents who were not recruited originally with a view toward permanent care of children are often ambivalent about making a permanent legal commitment and may consider doing so only out of distress at the alternative of having the child removed. Such ambivalence has frequently resulted in unacceptable delays in submitting papers and finalizing the adoption.

The family must be helped to come to a decision and carry it out promptly, or if they are unable to do so, they must be helped to accept this fact, declare it openly, and participate in helping the child to move to another home.

Foster families may be anxious about a child's behavior or his intellectual, emotional or medical diagnosis and prognosis. Like any other prospective adoptive parents they are entitled to all the information available and to help in understanding same. If, however, diagnosis and prognosis cannot be