

## DEPARTMENT OF SOCIAL SERVICES

## CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

February 17, 2016

## M E M O R A N D U M

**What's Inside:**

Policy Updates  
Regarding  
Adoption Staffings  
and Introduction to  
Agreement for  
Payment of  
Litigation Costs in  
TPR

**TO:** REGIONAL DIRECTORS, FIELD SUPPORT MANAGERS,  
CIRCUIT MANAGERS AND SUPERVISORS

**FROM:** TIM DECKER, DIVISION DIRECTOR

**SUBJECT:** POLICY REVISIONS TO THE ADOPTION STAFFING  
PROCESS, INTRODUCTION TO AGREEMENT FOR PAYMENT  
OF LITIGATION COSTS IN TERMINATION OF PARENTAL  
RIGHTS AND REVISIONS TO THE PROCEDURES FOR  
INVOLUNTARY TERMINATION OF PARENTAL RIGHTS

**DISCUSSION:**

The purpose of this memorandum is to introduce revisions to the Adoption Staffing process, policy and forms, as well as revisions to the TPR policy and introduction of the Agreement for Payment of Litigation Costs in Termination of Parental Rights cases.

Policy updates have been made to clarify the staffing process. This is to ensure children are being matched with the best possible family to meet their individual needs. Adoption Staffings are required for every child or sibling group with a goal of adoption. Children who are placed in prospective adoptive placements with current Relative, Kinship or Foster providers are not required to have a separate formal Adoption Staffing; however the team is encouraged to consider the child(ren)'s permanency and appropriateness of adoption by the current resource provider as part of the Family Support Team Meeting.

Should the Family Support Team or Regional Director (or designee) recommend a formal Adoption Staffing, the staffing shall be held according to policy.

Policy has also been updated to indicate that the individual responsible for leading the Adoption Staffings should be the Adoption Specialist, however, in some cases the leader may be the child's case manager or a Children's Service Specialist.

Policy has been updated to reflect the necessity of placing siblings together whenever possible and practical, allowing the sibling bond to be maintained. Additional policy regarding the practice of approving sibling separation for the purpose of adoption has been added. Staff must consider the importance the child(ren)'s attachment to caregivers when making a decision regarding adoption.

New policy defines consensus decision making to provide clear instruction to staff on how to make adoption staffing decisions. Using the consensus decision making process will assist Adoption Staffing Team members in identifying the family best suited for the child or sibling group.

Prospective adoptive families being considered for adoption shall be given the opportunity to be interviewed by the Adoption Staffing Team. This interview may be conducted in person or via conference call if the family is unable to travel to the location of the Adoption Staffing. The prospective adoptive family is not required to participate in an interview process; however families shall be notified that their decision not to participate in the interview may be reflected in the staffing decision. Staff are required to make every effort possible to put prospective adoptive families at ease with the interview process. Families should be reminded the interview process allows team members to get to know the prospective families and make the best decision possible for children waiting for permanency through adoption.

The Statement of Confidentiality for Adoption Staffing Team Members, CD-135, has been developed and will replace the Statement of Confidentiality for Non-CD Members of the Permanency Planning Team, CS-8. All members of the Adoption Staffing Team shall sign the CD-135, prior to the start of the staffing. The CD-135 may also be used for adoption staffings held during Family Support Team Meetings.

Additional new forms have been developed to assist workers with the adoption staffing process. The Child's Adoption Summary outline located in Chapter 27 subsection 3 has been updated and shall be completed for any child for whom active recruitment is required to locate a prospective adoptive family. Workers will have the primary responsibility for completing the summary, however they may obtain assistance in compiling the information from the current foster/kinship/relative provider or other professional team members as needed. The summary will be distributed to prospective adoptive families so they can review and respond to the child's individual needs using the Family Response Form, CD-192.

Members of the staffing team will be able to review the information on the Child's Adoption Summary with the Family Response Form CD-192 to gather information as to the prospective family strengths and areas where they may need additional support to meet a child's unique needs.

The Adoption Staffing Prospective Adoptive Family Interview Questionnaire, CD-134, has been developed for use in the Adoption Staffing meeting. This form will serve as a guide for staff in the interview process with prospective adoptive families providing a standardized interview process for adoption staffings. Staff shall not be required to ask the prospective adoptive families every question on the tool; however they shall use the same set of questions for every family being interviewed for a specific child(ren). If the adoption staffing team has additional questions specific to an individual family, the team may ask additional questions to make an informed decision regarding the family selected to adopt the child or sibling group.

The Adoption Staffing Decision Worksheet, CD-189, has been developed and is a mandatory form to be completed when Staffing Team has reached consensus to outline the reason the selected family is being recommended. The Family Support Team may use this form when a formal adoption staffing is not required. If consensus is not met,

the team should document the specific reason as to why and plan to reconvene another staffing for the child(ren) to attempt to achieve consensus and a recommendation of an adoptive family to the court. This form may be submitted to the court.

A new sub-section, Child's Recruitment Section, has been created in the Child's Section of the record. This section is to include all documents pertaining to recruitment efforts specific to the child. This section may include, but is not limited to:

- Consent for Special Recruitment Efforts – CD-AEM-1
- Court order allowing special recruitment for the child
- Child's long profile, short profile and media profile
- Missouri Waiting Child Registration Form – CD-121
- Adoption Staffing Decision Worksheet – CD-189
- Adoption Staffing Prospective Adoptive Family Interview Questionnaire – CD-134
- Statement of Confidentiality for Adoption Staffing Team Members – CD-135
- Family Response Form – CD-192

New policy has been added to Section 4 Chapter 26 Subsection 5: Procedures for Involuntary Termination of Parental Rights (TPR). If the juvenile officer declines to file a petition for involuntary TPR and a DLS attorney is unavailable to file the following option may be considered.

If an adoption staffing has occurred and a family has been identified for the child and there are *no other competing petitions anticipated or filed*, staff may consult with the family regarding their willingness to proceed with a petition for adoption and termination of parental rights.

If it is determined the adoptive family will, through their attorney, file the petition for adoption and TPR, an Agreement for Payment of Litigation Costs in Termination of Parental Rights Cases is appropriate. The worker will send a Litigation Costs for TPR Agreement Request, available on e-forms, to the Adoption Subsidy Unit in central office to initiate with the Purchasing Unit the issuance of the agreement with the prospective adoptive parents. Invoices incurred by the family shall be sent to the worker for payment.

<b>NECESSARY ACTION</b>	
<ol style="list-style-type: none"> <li>1. Review this memorandum with all Children's Division staff.</li> <li>2. Review revised Child Welfare Manual chapters as indicated below.</li> <li>3. All questions should be cleared through normal supervisory channels and directed to:</li> </ol>	
<b>PDS CONTACT</b> Sarah Bashore (573) 751-0311 <a href="mailto:Sarah.Bashore@dss.mo.gov">Sarah.Bashore@dss.mo.gov</a>	<b>PROGRAM MANAGER</b> Amy Martin (573) 751-3171 <a href="mailto:Amy.L.Martin@dss.mo.gov">Amy.L.Martin@dss.mo.gov</a>
<b>CHILD WELFARE MANUAL REVISIONS</b>	
<a href="#">Section 4.9.4.5 – Adoption</a> <a href="#">Section 4.26.5 - Procedures for Involuntary Termination of Parental Rights (TPR)</a> <a href="#">Section 4.27.3 – Child's Summary for Adoption Placement</a> <a href="#">Section 4.27.4 – Special Considerations in Adoption Planning</a>	

[Section 4.28.1 – Adoptive Family Recruitment Process](#)  
[Section 4.28.2 – Preliminary Screening Process](#)  
[Section 4.28.3 – Adoption Staffing Team](#)  
[Section 4.28.4 – Preparing for the Adoption Staffing](#)  
[Section 2.28.5 – Conducting the Staffing and Utilization of the Consensus Building Approach](#)  
[Section 4.28.6 – An Adoptive Family is Selected](#)  
Section 4.28.7 – Deleted  
Section 4.28.8 – Deleted  
Section 4.28.9 – Deleted  
[Section 4.29.2 – Preparing the Child and Adoptive Family for Adoption](#)  
[Section 5.1.1 – Record Composition](#)

**FORMS AND INSTRUCTIONS**

[CD-135 – Statement of Confidentiality for Adoption Staffing Team Members](#)  
[CD-134 – Adoption Staffing Prospective Adoptive Family Interview Questionnaire](#)  
[CD-189 – Adoption Staffing Decision Worksheet](#)  
[CD-191 – Statement of Legal Risk](#)  
[CD-192 – Family Response Form](#)  
Agreement for Payment of Litigation Costs in Termination of Parental Rights Cases (Must request sample from DFAS)  
[CD-193 - Litigation Costs for TPR Agreement Request](#)

**REFERENCE DOCUMENTS AND RESOURCES**

[Public Law 104-188, Section 1808, 110 Stat. 1903-1904](#)

**RELATED STATUTE**

[RSMo 210.566 – Foster Parent Bill of Rights](#)  
[RSMo 453.070 \(#7\) – Adoption and Foster Care](#)

**COUNCIL ON ACCREDITATION (COA) STANDARDS**

N/A

**PROTECTIVE FACTORS N/A**

Parental Resilience  
Social Connections  
Knowledge of Parenting and Child Development  
Concrete Support in Times of Need  
Social and Emotional Competence of Children